

**DIRECTORS' MEETING
MONDAY, FEBRUARY 7, 2005 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS ADVISORY - RE: Mayor's News Conference at 10:00 a.m. - January 27th - RE: Plans for the 5th Annual Abraham Lincoln Birthday Celebration; Creation of Lincoln/Lancaster County Citizen Corps Council; Award of \$2 million in Federal grant to local agencies serving the homeless.
- *2. NEWS RELEASE - RE: Workshop To Focus On Intelligent Transportation Systems Projects - (See Release)
- 3. NEWS RELEASE - RE: Open House Planned On Improvements To Pine Lake Road and South 56th Street - (See Release)
- 4. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m., Thursday, February 3rd at the Eiseley Branch Library, 1530 Superior Street - (See Advisory)
- 5. Washington Report - January 28, 2005.

II. DIRECTORS

BUILDING & SAFETY

- *1. Memo from Mike Merwick - RE: Requests for Special Addresses - (See Memo)

FINANCE/BUDGET -

- *1. Response E-Mail from Don Herz, Finance Director to Paul Haith - RE: City purchasing authority - (See E-Mail)
- *2. Material from Steve Hubka, Budget Officer - RE: January Sales Tax Receipts for November Sales - (See Material)

FINANCE/CITY TREASURER -

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased January 3 thru January 21, 2005.
2. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - December 31, 2004.

HEALTH

1. NEWS RELEASE - RE: Pertussis (Whooping Cough) Cases Reported in Lancaster County (See Release)

PARKS & RECREATION

- *1. Memo & Copy of *NEBRASKAland* magazine RE: Saline Wetland Conservation Partnership & 2003-04 Progress Report- (See Memo - Magazine sent to Council in 01-27-05 Packet)
- *2. Memo from Lynn Johnson - RE: E-Mail message from Peter Katt regarding the Antelope Valley project - (See Memo)

PLANNING

- *1. Letter from Tom Cajka to Terry Rothanzl - RE: Vintage Heights 21st Addition Final Plat #04118-S. 98th & Pine Lake Road - (See Letter)
- *2. Material from Duncan Ross - RE: CPA. 04021 Airport West Subarea Plan Proposed NW 40th/38th Roadway Amendment - (See Material)
3. Letter from Tom Cajka to Brian D. Carstens, Brian D. Carstens & Associates - RE: Aspen 18th Addition Final Plat #04133-Generally located at S. 52nd Street & Norris Lane - (See Letter)
4. Memo from Marvin Krout - RE: Residential Land Inventory & Single Family Lots As of January 1, 2005 - (See Memo)

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 1386C (Amendment to the Windhoek 4th Addition Community Unit Plan east of S. 112th Street and north of Van Dorn Street) Resolution No. PC-00900.
2. Special Permit No. 05001 (Off-sale alcohol at Gas 'N Shop - Sun Valley Blvd. & West "O" Street) Resolution No. PC-00901.

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: Open House regarding the following roadway projects in the vicinity of South 56th Street and Pine Lake Road: - (See ADVISORY)

STARTRAN

1. Response Letter from Larry Worth to Ron Davis - RE: Your concerns on the recent revision of the #27 route in the area of Whitehead and N. 27th Street - (See Letter)
2. Memo from Larry Worth - RE: Summary of StarTran Town Hall Meeting, 1/22/05 - (See Memo)

WOMEN'S COMMISSION

1. Director's Report from Bonnie Coffey - January 2005.

III. CITY CLERK

- *1. Letter from Tim Powers, Contempo/Lincoln Manager - RE: Opposition to Paving District on West Benton Street -(See Letter)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Request to Public Works & Utilities Department - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05)

GLENN FRIENDT

1. Request to Marc Wullschleger, Urban Development Director/Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05)

PATTE NEWMAN

1. Request to Steve Hubka, Budget Officer/Police Chief Casady - RE: The replacement of police radios for officers on the street (RFI#28 - 01/31/05). —
1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#28-01/31/05.

V. MISCELLANEOUS

- *1. E-Mail from David Oenbring - RE: Hammons Hotel - (See E-Mail)
- *2. E-Mail with Attachment from Fred Freytag, President, Witherbee Neighborhood Association - RE: In Support of 48th & “O” St. Redevelopment -(Council received copies of this E-Mail on 1/24/05 during Formal Council Meeting)(See Attachments)
- *3. Letter from Ralph R. Marlette - RE: City of Lincoln Projects and Budget Priorities (See Letter)
- *4. Letter from Jack Smith - RE: Changes to made to Increase Pedestrian Safety at 11th and 10th & “O” Streets (See letter and enclosures)

- *5. Article sent by Keith Hatfield - RE: Higher impact fees make sense - (See Article)
- *6. Letter from Ron Davis to Larry Worth, StarTran - RE: The latest StarTran bus route changes - (See Letter)
- *7. E-Mail from Mary Harris Rauner - RE: Revenue through January 15th - (See E-Mail)
- 8. Letter & Material from Bob & Kathy Batterman - RE: Strongly opposed to the development at 70th Street & Highway 2 (Council received copies of this Material on 01/31/05 before Council Meeting)(See Material)
- 9. E-Mail from Ken Kiewra - RE: Hope you will be supporting your constituents tonight at the Council Meeting (01/31/05), as you know, the Country Meadows neighborhood is strongly opposed to a change of zoning at the Home Depot property that would allow for an all night restaurant (Council received copies of this E-Mail on 01/31/05) (See E-Mail)
- 10. E-Mail from Mary Ann Genrich - RE: Livingston Property on Highway 2 - (See E-Mail)
- 11. E-Mail from Nathan Tobkin - RE: I'm glad.... [lists several items] (See E-Mail)
- 12. Letter from Donna Tucker - RE: Creating Paving Unit #139 West Benton Street from North 1st Street West approximately 600 feet and assessing the cost against the benefitted property - (See Letter)
- 13. E-Mail from Mattson Hahne, Troop 672 - RE: The Council Meeting on Jan. 31st- when Dr. Wachal, the Veterinarian came & talked about his impact fee on his business expansion - glad to read that you allowed to not pay the impact fee - (See E-Mail)

VI. ADJOURNMENT

***HELD OVER FROM JANUARY 31, 2005.**

da020705/tjg



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: February 1, 2005

FOR MORE INFORMATION: Kris Humphrey, Public Works and Utilities, 441-7592
Amy Mickey, E&A Consulting Group, 420-7217

OPEN HOUSE PLANNED ON IMPROVEMENTS TO PINE LAKE ROAD AND SOUTH 56TH STREET

The public is invited to an open house from 6 p.m. to 8 p.m, Monday, February 7 at Humann Elementary School, 6720 Rockwood Lane to discuss proposed improvements along South 56th Street and Pine Lake Road. The meeting will be held in the multi-purpose room, and parking is available in the school lot or on the street.

The planned improvements include new four-lane roadways with raised medians, curbs, storm drains, lighting and sidewalks. Improvements along Pine Lake Road will be made from South 40th Street to Nebraska Highway 2. Improvements along South 56th Street will be made from Yankee Hill Road to Old Cheney Road. No dates have been set for construction.

Representatives from the City Public Works and Utilities Department; E&A Consulting Group, Inc.; HWS Consulting Group; and The Schemmer Associates will be available to explain the project, answer questions and gather public input.

Those wanting more information on the open house or the project can see the project Web site at lincoln.ne.gov or contact Amy Mickey at E&A Consulting Group, Inc. at 420-7217 or Kris Humphrey, City Project Manager, Public Works and Utilities Department, at 441-7592.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: February 2, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, February 3** at the **Eiseley Branch Library, 1530 Superior Street.**

The Mayor will discuss the Volunteer Income Tax Assistance (VITA) Program. She also will issue a proclamation declaring Friday, February 4 as “Wear Red Day,” a campaign sponsored by the American Heart Association.

Washington Report

Vol. 11 No. 1
January 28, 2005

City of Lincoln -- Washington Office

Members Ease Into 109th Congress

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**Washington Report
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Congress

House and Senate ease into the 109th Congress.

After a couple of weeks of pomp and circumstance -- highlighted by swearing in of Members of Congress and the inauguration of the President -- activity on Capitol Hill turned to legislative matters this week, albeit a very light schedule.

The Senate spent their floor time debating and ultimately approving four new members of the Bush cabinet -- Secretary of State Condoleezza Rice, Secretary of Commerce Carlos Gutierrez, Secretary of Health and Human Services Mike Leavitt, and Secretary of Veterans' Affairs Jim Nicholson. Last week, in a brief session following the inauguration, the Senate cleared Secretary of Agriculture Mike Johanns and Secretary of Education Margaret Spellings.

While confirmation debates were on the floor, Senate leaders were busy preparing their priority items for this Congress. Not surprisingly, many of the Republican priorities match those of the President. In order of priority, Senate Majority leader Bill Frist listed: social security overhaul; streamlining the tax code (to be determined by a Presidential Commission); fighting terrorism; slowing the growth of health care costs; decreasing class action suits by shifting them to federal courts; making the 2001 and 2003 Bush tax cuts permanent; extending tax cuts on dividends, capital gains, and inheritances; strengthening parental notification laws relating to abortion; encouraging teacher recruitment, and a passing comprehensive energy bill.

Senate Democrats countered with four priorities of their own: increasing military benefits and posting more troops abroad; increasing border security and special counter-terrorism operations; overhauling veterans' health care benefits, and increasing the minimum wage.

House leaders are expected to unveil their priorities next week. Meanwhile, that chamber was relatively quiet this week; the only legislation considered on the floor was a measure to tighten the criteria for awarding Congressional Gold medals, the highest honor Congress can bestow on a civilian. However, behind the scenes, plans were being floated to make changes to the subcommittee structure of the Appropriations Committee. House Majority Leader Tom DeLay (R-TX) is pushing changes that would reduce the number of subcommittees from 13 to 10 and alter the jurisdiction of several of those subcommittee.

Behind DeLay's plans is his desire to move jurisdiction of NASA spending from the subcommittee that also has jurisdiction over Veterans' Administration programs. DeLay's Houston area district is home to Johnson Space Center and many NASA employees and he would prefer that the agency not have to compete with popular veterans' programs for dwindling domestic discretionary funds. While new House Appropriations Committee Chairman Jerry Lewis (R-CA) is committed to making some changes, they are likely to face strong opposition from senior Senate appropriators, who guard their turf vigorously.

In other House news, Transportation and Infrastructure Committee Chairman Don Young (R-AK) announced this week that he hoped to re-introduce legislation reauthorizing federal transportation programs (TEA-21) within the next two weeks and would like it to be brought to the House floor during the week of March 7. However, there still does not appear to be any agreement among the White House, Senate, and House on an overall funding level for the multi-year bill and no significant progress on the measure can take place without one.

Other items of interest this week:

- < The President will give his State of the Union address February 1 and will deliver his proposed FY 2006 budget to Congress on February 7.
- < The President is expected to ask Congress for an additional \$80 billion in FY 2005 spending to meet military needs in Iraq and Afghanistan, as well as between \$350 million and \$900 million in tsunami aid.
- < The White House announced this week that it expects this year's deficit to be approximately \$427 billion, up from the record deficit of \$412 billion in 2004

Housing AND CD

Administration will reportedly seek major cuts to CDBG and HOME. The Washington Post recently reported that when the Bush Administration submits its budget proposal to Congress on February 7, it will call for cutting funding for community development block grants (CDBG) in half and transferring their administration from the Department of Housing and Urban Development (HUD) to the Department of Commerce or the Department of Labor. The report added that the HOME program would remain at HUD and there are fears among local governments and housing advocates that it too will be targeted for cuts as the Administration seeks to offset the rising cost of the section 8 Program.

For the past four years, CDBG has been a favorite target of the Office of Management and Budget (OMB). OMB claims that the program's effectiveness is difficult to gauge and that much of what it funds is duplicative. Supporters of CDBG counter that just because OMB cannot gauge the program's effectiveness does not mean that CDBG is ineffective. Indeed, they point out that given the large number of programs OMB finds difficult to gauge, the

problem lies not with CDBG but with OMB's expertise at evaluating programs.

CDBG supporters argue that CDBG gives local governments a great deal of flexibility to local needs and that this flexibility, a hallmark of the program, is what makes it so difficult to gauge. Unlike HOME, for example, where OMB can easily count the number of units of housing rehabilitated, the number of units constructed and the number of families given downpayment assistance, some communities use CDBG for infrastructure, other for social services and others for housing.

CDBG advocates also argue that moving CDBG to the Department of Commerce or the Department of Labor would undermine the program's purpose and effectiveness. Both departments have missions that are very different from that of HUD. Local government officials concerned about potential cuts to CDBG and HOME should prepare for a year-long effort to defend the programs and should begin assembling examples of what CDBG has accomplished in their community.

Grant Opportunities

National Endowment for the Arts, January 7: The Summer Schools in the Arts program supports rigorous, challenging summer arts education programs that enable children and youth to acquire knowledge and skills in the arts as well as gain lifelong interests in the arts and culture. Total program funding is not available, but awards have an estimated ceiling of \$35,000 and a floor of \$15,000. Statements of interest will be accepted through May 23, 2005. Please see <http://fedgrants.gov/Applicants/NEA/NEA/NEA-SS-2006/Grant.html> for more details and a link to the full grant announcement.

National Endowment for the Arts, January 7: Grants for Arts Projects supports exemplary projects in dance, design, folk and traditional arts, literature, local arts agencies, media arts, museums, music, musical theater, opera, presenting, theater,

visual arts, and multidisciplinary art forms. The Arts Endowment is particularly interested in projects that reach and involve new audiences. Estimated total program funding is not available, and the award floor is \$5,000 and the award ceiling is \$150,000. There are two application deadlines: March 14 and August 15, 2005.

Complete application packages must be postmarked (or show other proof of mailing) no later than the deadline date under which you are applying. Please see <http://fedgrants.gov/Applicants/NEA/NEA/NEA-NEA-AAE-2006/Grant.html> for more details and a link to the full grant announcement.

Department of Justice, January 14: The Office on Violence Against Women announced funding for the FY 2005 OVW Safe Havens: Supervised Visitation and Safe Exchange Grant Program. By statute, grant funds may only be used to support project activities that increase options for supervised visitation and safe exchange by and between parents. Therefore, grant funds may not be used to support supervised visitation and monitored exchanges of children in foster care, kinship care, or protective supervision. Applications are due March 10, 2005. Please see:

<http://fedgrants.gov/Applicants/DOJ/HQ/OJP/DOJ-GRANTS-011305-001/Grant.html> for more information and the link to the complete grant announcement.

Department of Health and Human Services, January 13: The Executive Office of the President, Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Services Administration (SAMHSA) announce the availability of funds for Drug Free Communities Support Program (DFCSP) grants. The DFCSP has two major goals: to reduce substance abuse among youth and, over time, among adults by addressing the factors in a community that increase the risk of substance abuse and promoting the factors that minimize the risk of substance abuse. Estimated total program funding is \$70,000,000 and the award ceiling is \$100,000. Applications for new applicants are due March 11, 2005 and

April 5, 2005 for competing renewal applicants. Please see http://fedgrants.gov/Applicants/HHS/SA_MHSA/CSAP/sp05002/Modification1.html for more information and the link to the complete grant announcement.

Federal Emergency Management Agency, January 18: FEMA announced funding for the Cooperating Technical Partners Flood Hazard Mapping Program. To advance floodplain management, FEMA is offering \$50 million to regional offices for cooperating technical partnerships of state agencies, regional agencies, and communities to develop accurate flood hazard information. Funds are meant to supplement ongoing mapping efforts by the community and partnership. FEMA Regional Offices will mail Request for Federal Assistance packages to potential applicants. To qualify, the applicant must be a partnership, have existing mapping processes in place supported by non-federal funding, be capable of performing the activities in the application, be able to perform the financial management required in the cooperative agreement, have in-house staff capable of the technical areas of the project, and verify that any contractors meet certain requirements. *Federal Register* page 2876.

RESOLUTION NO. A-_____

BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of
Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City
Treasurer is hereby directed to hold said investments until maturity unless
otherwise directed by the City Council.

INTRODUCED BY:

Approved:

Don Herz, Finance Director

Approved this ____ day of _____, 2004

Mayor

**FINANCE DEPARTMENT
TREASURER OF LINCOLN, NEBRASKA
INVESTMENTS PURCHASED
JANUARY 3 THRU JANUARY 21, 2005**

January 3, 2005, we cashed a \$131,500 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested in a \$325,000 Repurchase Agreement at Wells Fargo Bank.

New funds available January 4, 2005, were used to invest \$1,698,000 in the Short Term Pool as follows:

\$675,000	Repurchase Agreement at Wells Fargo Bank
\$10,000	Nebraska Public Agency Investment Trust at Union Bank
\$1,013,000	First American Government Obligation Fund at US Bank

January 5, 2005, we cashed a \$63,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested \$345,000 as follows:

\$250,000	Repurchase Agreement at Wells Fargo Bank
\$95,000	Nebraska Public Agency Investment Trust at Union Bank

A \$125,000 Repurchase Agreement at Wells Fargo Bank was cashed out of the Short Term Pool January 6, 2005. We then invested in an \$84,000 First American Government Obligation Fund at US Bank.

January 10, 2005, we used new funds to invest \$169,000 in the Short Term Pool as follows:

\$75,000	Repurchase Agreement at Wells Fargo Bank
\$94,000	First American Government Obligation Fund at US Bank

January 11, 2005, we used new funds to invest \$1,667,000 in the Short Term Pool as follows:

\$5,000	Nebraska Public Agency Investment Trust at Union Bank
\$200,000	Repurchase Agreement at Wells Fargo Bank
\$1,462,000	First American Government Obligation Fund at US Bank

New funds were used January 12, 2005, to invest \$687,000 in the Short Term Pool as follows:

\$10,000	Nebraska Public Agency Investment Trust at Union Bank
\$150,000	Repurchase Agreement at Wells Fargo Bank
\$527,000	First American Government Obligation Fund at US Bank

An investment of \$3,000,000 matured January 13, 2005, and we immediately cashed along with a \$2,350,000 Repurchase Agreement in the Short Term Pool for a total of \$5,350,000. We then invested \$6,158,000 as follows:

\$658,000	First American Government Obligation Fund at US Bank
\$2,500,000	CD, purchased at par, rate of 2.44%, maturing March 3, 2005
\$3,000,000	CD, purchased at par, rate of 2.44%, maturing March 10, 2005

We cashed a \$3,902,000 First American Government Obligation Fund at US Bank out of the Short Term Pool January 14, 2005. We then invested \$5,325,000 as follows:

\$250,000	Repurchase Agreement at Wells Fargo Bank
\$75,000	Nebraska Public Agency Investment Trust at Union Bank
\$5,000,000	Freddie Mac, discounted 99.5967222%, costing \$4,979,836.11, yielding 2.422826%, maturing March 15, 2005

New funds were used January 18, 2005, to invest \$1,779,750 in the Short Term Pool as follows:

\$54,750	First American Government Obligation Fund at US Bank
\$1,725,000	Repurchase Agreement at Wells Fargo Bank

January 19, 2005, we used new funds to invest \$4,288,000 in the Short Term Pool as follows:

\$20,000	Nebraska Public Agency Investment Trust at Union Bank
\$93,000	First American Government Obligation Fund at US Bank
\$4,175,000	Repurchase Agreement at Wells Fargo Bank

January 20, 2005, we cashed a \$5,200,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool. We then invested \$5,097,000 as follows:


\$97,000	First American Government Obligation Fund at US Bank
\$5,000,000	CD, purchased at par, rate of 2.54%, maturing March 31, 2005

An investment of \$5,000,000 matured January 21, 2005, and we immediately cashed and reinvested \$4,089,000 in the Short Term Pool as follows:

\$739,000	First American Government Obligation Fund at US Bank
\$350,000	Repurchase Agreement at Wells Fargo Bank
\$3,000,000	CD, purchased at par, rate of 2.55%, maturing March 24, 2005

We respectfully request approval of our actions.

Don Herz, Finance Director



Melinda J. Jones, City Treasurer

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

January 27, 2005

TO: Mayor Coleen Seng & City Council Members

FROM: Finance Department/City Treasurer

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business December 31, 2004.

Balance Forward	\$	208,663,210.00
Plus Total Debits December 1 - 31, 2004	\$	68,688,750.32
Less Total Credits December 1 - 31, 2004	\$	<u>(32,638,714.38)</u>
Cash Balance on December 31, 2004	\$	<u>244,713,245.94</u>

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

U.S. Bank Nebraska, N.A	\$	2,818,212.80
Wells Fargo Bank	\$	221,897.19
Union Bank & Trust Company	\$	1,243.04
Pinnacle Bank	\$	46,236.05
Cornhusker	\$	29,538.75
West Gate Bank	\$	526.80
Wells Fargo Bank Credit Card Bank Account	\$	7,368.69
Idle Funds - Short-Term Pool	\$	50,207,945.51
Idle Funds -Medium-Term Pool	\$	190,603,449.50
Cash, Checks and Warrants	\$	<u>776,827.61</u>
Total Cash on Hand December 31, 2004	\$	<u>244,713,245.94</u>

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of \$26,458,632.98 representing authorized investments of the City's funds.

ATTEST:




Melinda J. Jones, City Treasurer

CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT

DECEMBER 31, 2004

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLMC FGLMC D67795	3128F7UU6	01Dec09	\$ 1,191,991.00	\$ 108,258.92	1.08	\$ 117,247.55
FHLMC FGWTW C90689	31335HXS7	01Jul23	\$ 11,150,000.00	\$ 9,985,686.78	0.98	\$ 9,753,629.41
FNMA FNCL 721608	31401XU96	01Jul18	\$ 12,000,000.00	\$ 10,200,464.28	0.97	\$ 9,939,872.00
FNMA FNARM 303824	31373UPH4	01Jul25	\$ 1,600,000.00	\$ 60,529.94	1.03	\$ 62,133.72
FNMA FNCL538363	31385AB89	01Apr30	\$ 550,000.00	\$ 62,059.89	1.08	\$ 67,282.35
FNMA FNCL 254725	31371K4J7	01May33	\$ 500,000.00	\$ 409,665.52	0.99	\$ 405,272.68
FNMA FNCL 682970	31400BW77	01Feb18	\$ 7,100,000.00	\$ 4,915,092.08	1.00	\$ 4,894,271.75
GNMA-2 G2JO 3156	36202DQH7	20Nov16	\$ 2,550,000.00	\$ 936,969.30	1.04	\$ 973,058.76
GNMA-2 G2JO 3194	36202DRP8	20Feb17	\$ 4,130,000.00	\$ 1,893,539.21	1.04	\$ 1,965,900.81
FNMA FNCL 254592	31371KXV8	01Dec32	\$ 3,100,000.00	\$ 2,207,173.40	0.99	\$ 2,185,673.11
US BANK NE		TOTAL PLEDGED	\$ 43,871,991.00	\$ 30,779,439.32		\$ 30,364,352.14
FNCL 555771 6.00%	31384WFL9	01Feb31	\$ 8,200,000.00	\$ 1,382,772.73		\$ 1,434,741.49
FGCI EO1490 5.00%	31294KUP8	01Nov18	\$ 350,000.00	\$ 291,239.70		\$ 295,999.14
FNCL 729001 5.50%	31402G3J0	01Aug33	\$ 2,050,000.00	\$ 1,653,617.86		\$ 1,681,302.56
FNCL 759855 5.50%	31403WE45	01Feb34	\$ 1,250,000.00	\$ 1,093,236.29		\$ 1,110,816.55
FNCL 773591 5.50%	31404NNG7	01Jul34	\$ 11,600,000.00	\$ 10,829,600.03		\$ 11,000,772.36
FNCL 555285 6.00%	31385W2S7	01Mar33	\$ 17,005,000.00	\$ 5,860,196.45		\$ 6,067,688.13
FNCT 255047 5.5%	31371LHY8	01Dec23	\$ 350,000.00	\$ 296,704.03		\$ 303,517.82
FGCI G11540 5.00%	31283KV96	01Apr19	\$ 3,800,000.00	\$ 3,257,299.05		\$ 3,310,529.86
FNCL 666295 6.00%	31391GGC4	01Nov32	\$ 8,650,000.00	\$ 1,718,548.96		\$ 1,779,397.54
FNCL 545277 6.00%	31385HXE7	01Nov31	\$ 5,400,000.00	\$ 920,646.92		\$ 953,260.80
FNCL 615057 6.00%	31388UJA9	01Jan32	\$ 5,000,000.00	\$ 1,315,365.30		\$ 1,361,962.06
FNCL 622169 6.00%	31389DFJ1	01Dec31	\$ 2,200,000.00	\$ 462,529.85		\$ 478,914.95
GNSF 781210 6.50%	36225BKX5	15Sep29	\$ 8,700,000.00	\$ 1,180,416.09		\$ 1,244,674.84
FNCL 323715 6%	31374TSC4	01May29	\$ 10,500,000.00	\$ 1,633,537.39		\$ 1,694,930.64
FNCL 323605 6.50%	31374TNW5	01Mar29	\$ 2,400,000.00	\$ 236,923.20		\$ 248,966.71
WELLS FARGO BANK NE		TOTAL PLEDGED	\$ 87,455,000.00	\$ 32,132,633.85		\$ 32,967,475.45
US Treasury 6.50%	912827T85	15May05	\$ 250,000.00			
FARM CREDIT NOTE 5%	31331LGY8	10May04	\$ 250,000.00			
UNION BANK LINCOLN		TOTAL PLEDGED	\$ 500,000.00			
FHLB BOND 3.00%	3133X4RG8	29Jun07	\$ 3,000,000.00	\$3,000,000.00		
FHLB BOND 3.05%	3133X4X63	28Mar07	\$ 3,000,000.00	\$3,000,000.00		

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FNMA Pool #253819	31371J4C5	01May11	\$ 1,025,000.00	\$995,861.61		
CORNHUSKER BANK		TOTAL PLEDGED	\$ 7,025,000.00	\$6,995,861.61		
FHLB Step Up 2.4%	31339XUE2	09Jan09	\$ 2,000,000.00			
FHLB Step-Up 2.125%	31339YDB5	23Jul09	\$ 2,000,000.00			
FHLB Step Up 2.25%	31339XM43	30Jun08	\$ 2,000,000.00			
FHLB 2.50% to 5/05, then 5.25	3133MYQG5	19Nov08	\$ 500,000.00			
WEST GATE BANK		TOTAL PLEDGED	\$ 6,500,000.00			
CD 1.85%	03-00072788	23Mar05	\$ 2,000,000.00			
TIER ONE BANK		TOTAL PLEDGED	\$ 2,000,000.00			



NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: January 31, 2005
FOR MORE INFORMATION: Bruce Dart, MS, 402-441-8001
Health Director

Tim Timmons, R.N., 402-441-8056
Communicable Disease Program Supervisor

Pertussis (Whooping Cough) Cases Reported in Lancaster County

The Lincoln-Lancaster County Health Department has received reports of five cases of pertussis (“Whooping Cough”) during January. A total of six cases of pertussis were reported for all of 2004. Three of the cases were in infants under six months of age. Infants do not typically begin the four dose series of immunizations against pertussis until two months of age. Children who are younger than seven years of age should have received at least four doses of pertussis vaccine (DTaP vaccine). Parents are strongly encouraged to be sure their children are current on all immunizations and that every effort is made to begin and continue infant immunizations on time. Parents who are unsure of their child’s immunization status should contact their health care provider or the Lincoln-Lancaster County Health Department at 441-8065. Pertussis vaccine is not available for adults or children age seven and older.

Bruce Dart, Health Director, expressed concern that Lincoln and Lancaster County may be at the beginning of a widespread outbreak of pertussis. There has been a dramatic increase in cases of pertussis nationally and elsewhere in the state over the past year.

Pertussis, also known as “Whooping Cough,” is a bacterial infection of the respiratory tract. It causes violent spells of coughing that may be followed by difficulty in breathing, vomiting, or “whooping” (a rapid in-drawing of air). Coughing due to pertussis usually lasts more than two weeks and sometimes up to two months and can be complicated by pneumonia, seizures, encephalopathy or death. Pertussis is spread by airborne droplets of the bacteria that are coughed or sneezed into the air by the infected person. Adults, teens and vaccinated children who become infected with whooping cough often have mild symptoms. Antibiotics are used to treat both the infected individual and all household contacts. Contacts outside the home who are symptomatic should be evaluated by their healthcare provider.

Parents of infants with an unexplained persistent runny nose, sneezing, fever and a dry, irritating cough lasting more than a few days should contact their healthcare provider. Any individual who develops episodes of short, rapid coughs followed by a quick, deep breath (“whoop”) should contact their healthcare provider.

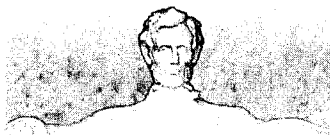
With Flu activity on the rise and now with pertussis in the community, the Lincoln-Lancaster County Health Department wants to remind the public to take measures to prevent the spread of respiratory illnesses including:

Frequent hand washing with soap and water. Hand washing is one of the best preventive measures, not only for whooping cough, but for all diseases.

Cover your mouth and nose with a tissue when sneezing or coughing.

Staying home from work, school or other recreational activities when you’re ill. This will help prevent the spread of respiratory illnesses to your friends, coworkers and others.

Parents of infants younger than 6 months of age should consider limiting the amount of time infants are in the public at any one time, to reduce the infant’s risk of exposure to all types of contagious respiratory illnesses



CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

February 2, 2005

Brian D. Carstens
Brian D. Carstens & Associates
601 Old Cheney Rd. Suite C
Lincoln, NE 68512

RE: Aspen 18th Addition Final Plat #04133 Generally located at S. 52nd
St. & Norris Lane

Dear Brian:

Aspen 18th Addition generally located southwest of Norris Lane & S. 52nd St. was approved by the Planning Director on February 1, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,


Tom Cajka
Planner

CC: William G. Krein
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
File

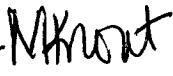
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LINCOLN

The Community of Opportunity

MEMORANDUM

TO: City Council
Lancaster County Board of Commissioners
Mayor Seng
Planning Commission

FROM: Marvin Krout, Planning Director 

SUBJECT: Residential Land Inventory & Single Family Lots As of January 1, 2005

DATE: February 2, 2005

COPIES: Mayor's Office, Public Works and Planning staff
Development Community mailing list

We have encouraging news regarding the supply of urban residential lots. As of January 1, 2005, there were 6,127 single family lots either final platted, preliminary platted or formally submitted and in process of review. (See attached "Residential Land Inventory Review") This is an increase of over 800 lots since July 2004 and over 1,000 since January 1, 2004. Of these lots, the number of final platted lots is 2,624 -- which is up about 400 lots from the supply last July and up over 600 from a year ago last January. Plus we have several new plats coming in which could come on line in 2005.

We need to remain aggressive in extending new water and wastewater lines in order to maintain and potentially further increase the supply of lots in the future. Also, there are several developments under consideration on gravel or unimproved roads, which will need to be improved which will place additional burden on already limited funding.

Demand

At the same time, the number of building permits (see second attachment) for new single family homes slightly declined last year compared to 2003, but is similar to the number of permits in 2002. Primarily, the larger number of permits in 2003 is probably due to the demand created by very low interest rates. The 1,227 permits for new detached homes issued in 2004 is a good number historically. So compared to last year, when we calculated less than a 2-year supply of final platted lots, the supply of final platted lots has now increased to about 2 ½ years and there is a 4 ½ to 5 year supply overall of lots available and in the pipeline.

Overall Supply

The community has a potential for over 52,000 new dwelling units within the 2025 future service limit for Lincoln. Of these units, about 11,600 are approved or in process of development. The remainder of the potential units are currently without infrastructure. Again, it will be important to continue with the City's efforts to increase funding and construction of water, sanitary sewer and street improvements during the next six years in order to increase the supply of land with services.

Multi-Family Supply

It is important to note that the supply of potential multi-family units continues to decline -- down about 550 units since last July and 36% since 1998. In the past few years there has been less apartment construction and more than a dozen multi-family sites have been converted to other uses. We now have less than a dozen approved sites for new apartments. However, an application for over 600 apartment units was filed a few weeks ago at 1st and Fletcher.

I:\CC\residential land inventory memo Jan 2005.ssh.wpd



Residential Land Inventory Review

January 27, 2005

	<u>Jan 2005</u>	<u>July 2004</u>	<u>March 2004</u>	<u>Jan 2004</u>	<u>July 2003</u>	<u>Jan 2003</u>	<u>Sept 2002</u>	<u>July 2001</u>	<u>Jan 2001</u>	<u>July 2000</u>	<u>July 1999</u>	<u>July 1998</u>	<u>July 1997</u>	<u>Sept. 1995</u>	<u>Jan 1992</u>	<u>Jan. 1991</u>	<u>Jan. 1990</u>
Single Family/Attached/Duplex																	
Final Platted	3,593	3,097	3,061	2,605	3,048	3,000	2,866	3,655	3,693	3,016	2,403	2,194	2,254	2,127	2,344	2,716	3,256
Preliminary Platted	2,953	2,323	2,773	3,388	2,974	3,669	4,060	2,331	2,653	1,747	2,249	2,572	2,965	2,372	1,845	1,650	n/a
Submitted Prelim	1,555	1,817	1,593	718	1,533	588	765	1,355	1,500	3,741	2,933	1,270	n/a	n/a	n/a	n/a	n/a
Total Final, Prelim & Submitted	8,101	7,237	7,427	6,711	7,555	7,257	7,691	7,341	7,846	8,504	7,585	6,036	5,219	4,499	4,189	4,366	3,256
Multi-Family Units																	
Final Platted	1,463	1,672	1,766	1,670	1,886	1,687	1,687	1,641	1,588	1,506	2,069	2,370	2,370	1,314	668	818	623
Preliminary Platted	2,082	1,754	2,128	2,353	2,852	3,074	3,049	2,487	2,639	2,287	2,195	2,223	2,558	2,245	3,190	2,996	n/a
Submitted Prelim	0	675	675	475	755	401	546	869	869	1,290	1,583	994	n/a	n/a	n/a	n/a	n/a
Total Final, Prelim & Submitted	3,545	4,101	4,569	4,498	5,493	5,162	5,282	4,997	5,096	5,083	5,847	5,587	4,928	3,559	3,858	3,814	623
All Units In Plat Process																	
Final Platted	5,056	4,769	4,827	4,275	4,934	4,687	4,553	5,296	5,281	4,522	4,472	4,564	4,624	3,441	3,012	3,534	3,879
Preliminary Platted	5,035	4,077	4,901	5,741	5,826	6,743	7,109	4,818	5,292	4,034	4,444	4,795	5,523	4,617	5,035	4,646	5,077
Submitted Prelim	1,555	2,492	2,268	1,193	2,288	989	1,311	2,224	2,369	5,031	4,516	2,264	n/a	n/a	n/a	n/a	n/a
Total Final, Prelim & Submitted	11,646	11,338	11,996	11,209	13,048	12,419	12,973	12,338	12,942	13,587	13,432	11,623	10,147	8,058	8,047	8,180	8,956
Potential Units on Raw Land	40,800	41,930	40,724	41,978	42,106	43,822	43,821	24,633	24,260	24,706	29,952	30,963	17,755	14,832	12,131	12,999	14,280
Grand Total of Possible Units	52,446	53,268	52,720	53,187	55,154	56,241	56,794	36,971	37,202	38,293	43,384	42,586	27,902	22,890	20,178	21,179	23,236
Single Family ONLY																	
Final Platted	2,624	2,221	2,261	1,986	2,346	2,383	2,217	2,817	2,847	2,291	1,972	1,799					
Preliminary Platted	2,276	1,945	2,226	2,566	2,431	2,871	3,215	2,050	2,372	1,435	1,811	2,084					
Submitted Prelim	1,227	1,150	1,242	570	1,225	425	603	1,045	1,167	3,134	2,399	1,094					
Total Final, Prelim & Submitted	6,127	5,316	5,729	5,122	6,002	5,679	6,035	5,912	6,386	6,860	6,182	4,977					

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Notes: -Starting in July 1998, proposals submitted, but not yet approved were counted separately from "potential units on raw land."

- "Potential Units on Raw Land" means land inside the "Future Service Limit" of the Comprehensive Plan, but not upon which a plat has not yet been submitted or approved.

- Grand Total is the sum of "potential units on raw land" plus all final, preliminary approved and submitted dwelling units.

Source: Lincoln/Lancaster County Planning Department

**Number of New Construction Dwelling Units,
Based on Building Permits Issued in City of Lincoln
Fifteen Year Period: 1990-2004**

	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2001</u>	<u>2000</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>	<u>1994</u>	<u>1993</u>	<u>1992</u>	<u>1991</u>	<u>1990</u>
Single Family	1,227	1,565	1,281	1,108	1,041	1,015	996	814	812	741	902	876	980	900	791
Sing. Fam. Attached	461	533	256	260	272	199	187	243	155	178	177	107	102	95	129
Duplex	62	52	60	64	58	34	54	102	62	40	36	58	42	30	54
Multi-Family	403	260	540	319	381	489	622	1,010	1,168	919	761	524	221	464	1,113
Total	2,153	2,410	2,137	1,751	1,752	1,737	1,859	2,169	2,197	1,878	1,876	1,565	1,345	1,489	2,087

Average Per Period

	<u>3 Year</u>	<u>5 Year</u>	<u>10 Year</u>	<u>15 Year</u>
Single Family	1,358	1,244	1,060	1,003
Sing. Fam. Attached	417	356	274	224
Duplex	58	59	59	54
Multi-Family	401	381	611	613
Total	2,233	2,041	2,004	1,894

Note: Based on building permits issued, not actual construction and occupancy. There are some permits issued, particularly in multi-family, that are never built.

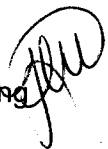
- Year is based on date permit issued, not date of completion and occupancy
- "Single Family" is a single family detached unit on a single lot.
- Single Family attached is defined as one dwelling unit on a single lot attached by a common wall to one or more other dwelling units.
- Duplex is two dwelling units built on one lot.
- Multi-family is three or more units built on a single lot, typical of apartments or condominiums.

Source: Lincoln/Lancaster County Planning Department (Updated January 13, 2005)

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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : February 3, 2005

RE : **Special Permit No. 1386C**
(Amendment to the Windhoek 4th Addition Community Unit Plan east of S. 112th Street and north of Van Dorn Street)
Resolution No. PC-00900

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 3, 2005:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 1386C, an amendment to the Windhoek 4th Addition Community Unit Plan**, with conditions, requested by Brian D. Carstens and Associates on behalf of Richard H. And Marti Ann Hudson, for authority to amend the Windhoek 4th Addition Community Unit Plan to add 17 lots, including Build-Through Acreage lots, and requested waivers of the required sidewalks, street trees, street lighting, landscape screens, stormwater detention, block length and the preliminary plat process, on property generally located east of S. 112th Street and north of Van Dorn Street. Motion for conditional approval carried 8-1 (Pearson dissenting).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Brian D. Carstens & Associates, 601 Old Cheney Road, Suite C, 68512
Richard and Marti Ann Hudson, 11401 Van Dorn Street, 68461
Dr. Peter Howe, c/o Urology, PC, 5500 Pine Lake Road, 68516

RESOLUTION NO. PC- 00900

SPECIAL PERMIT NO. 1386C

1 WHEREAS, Richard H. Hudson and Marti Ann Hudson have submitted an
2 application designated as Special Permit No. 1386C for authority to amend Windhoek 4th
3 Addition Community Unit Plan to add 17 lots, including Build-Through Acreage lots, and
4 requested waivers of the required sidewalks, street trees, street lighting, landscape screens,
5 storm water detention, block length, and the preliminary plat process, on property located east of
6 S. 112th Street and north of Van Dorn Street, and legally described to wit:

7 Lots 2 and 3, Block 1, Lots 1-4 and Outlots A and B, Block 2, Lot 1,
8 Block 3, Outlots A and B, Windhoek 2nd Addition; Lot 1, Block 1,
9 Windhoek 3rd Addition; and Lot 1 and Outlot A, Windhoek 5th
10 Addition; all located in Section 31, Township 10 North, Range 8
11 East, Lancaster County, Nebraska;

12 WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a
13 public hearing on said application; and

14 WHEREAS, the community as a whole, the surrounding neighborhood, and the
15 real property adjacent to the area included within the site plan for this community unit plan will
16 not be adversely affected by granting such a permit; and

17 WHEREAS, said site plan together with the terms and conditions hereinafter set
18 forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and
19 purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and
20 general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
2 Planning Commission of Lincoln, Nebraska:

3 That the application of Richard H. Hudson and Marti Ann Hudson, hereinafter
4 referred to as "Permittee", to amend the Windhoek 4th Addition Community Unit Plan to add 17
5 lots, including Build-Through Acreage lots, be and the same is hereby granted under the
6 provisions of Section 27.63.320 and Chapter 27.65 the Lincoln Municipal Code upon condition
7 that development of said Windhoek Community Unit Plan be in strict compliance with said
8 application, the site plan, and the following additional express terms, conditions, and require-
9 ments:

10 1. This permit approves 26 dwelling units.

11 2. The requirements of Sections 26.27.020, 26.27.070, 26.27.080,
12 26.27.090, 26.23.105, and 26.23.130(a) relating to the installation of sidewalks, street lighting,
13 landscape screens, street trees, storm water detention, and block length, respectively, are
14 waived pursuant to Section 26.31.010 based upon the rural nature of the proposed development
15 and its location outside the corporate limits.

16 3. The requirement of Lincoln Municipal Code § 26.11.020 that a preliminary
17 plat is required for a subdivision is waived, except that this waiver of the preliminary plat shall
18 only be effective for a period of ten years from the date of the this approval, and shall be of no
19 force or effect thereafter. This waiver is further subject to the requirement that if any final plat on
20 all or a portion of the approved Community Unit Plan is submitted five years or more after the
21 effective date of the special permit, the City may require that a new Community Unit Plan be
22 submitted, pursuant to all the provisions of Section 26.31.015. A new special permit may be
23 required if the subdivision ordinance, the design standards, or the required improvements have
24 been amended by the city; and as a result, the Community Unit Plan as originally approved does
25 not comply with the amended rules and regulations.

1 4. Before the approval of a final plat, the public streets, private roadway
2 improvements, drainage facilities, land preparation and grading, sediment and erosions control
3 measures, drainageway improvements, temporary turnaround and barricades, and street name
4 signs, must be completed or provisions (bond, escrow or security agreement) to guarantee
5 completion must be approved by the City Law Department. The improvements must be
6 completed in conformance with adopted design standards and within the time period specified in
7 the Land Subdivision Ordinance.

8 5. Final plats will be approved by the Planing Director after Permittee has
9 signed an agreement that binds the Permitte and Permittee's successors and assigns:

- 10 a. To complete the street surfacing of public streets, and temporary
11 turnarounds and barricades located at the temporary dead-end of
12 the streets shown on the final plat within two (2) years following the
13 approval of the final plat.
- 14 b. To complete the surfacing of private roadway, and temporary
15 turnarounds and barricades located at the temporary dead-end of
16 the private roadways shown on the final plat within two (2) years
17 following the approval of this final plat.
- 18 c. To construct the surface in the pedestrian way easements in Fargo
19 Place between Lots 7 and 8, and 116th Street Circle between
20 Lots 4 and 5 at the same time as the streets are surfaced and to
21 agree that no building permit shall be issued for construction on
22 Lots 4, 5, 7 and 8. Block 1 until such time as the surfacing in the
23 pedestrian way easement is constructed.
- 24 d. To complete the enclosed public drainage facilities shown on the
25 approved drainage study to serve this plat within two (2) years
26 following the approval of the final plat.
- 27 e. To complete land preparation including storm water
28 detention/retention facilities and open drainageway improvements
29 to serve this plat prior to the installation of utilities and
30 improvements but not more than two (2) years following the
31 approval of the final plat
- 32 f. To complete the installation of the street name signs within two (2)
33 years following the approval of the final plat.
- 34 g. To complete any other public or private improvement or facility
35 required by Chapter 26.23 (Development Standards) of the Land

Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

h. To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

i. To complete the public and private improvements shown on the Community Unit Plan.

j. To retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

k. To agree to the future conversion of lots to a higher density, including timing of annexation, funding of infrastructure cost, and agreement to petition for special assessment districts and that this is designed for future platting to a density of about 600 dwellings and for future subdivision of the acreage lots, said agreement and deed restrictions to be reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

l. To submit to the lot buyers and home builders a copy of the soil analysis.

m. To pay all design, engineering, labor, material, inspection, and other improvement costs except those cost the City Council specifically subsidizes as follow:

n. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

o. To perpetually maintain the sidewalks/surfacing in the pedestrian way easements on Block 1 at their own cost and expense.

p. To inform all purchasers and users that the land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Windhoek 4th CUP or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the Community Unit Plan.

- 1 q. To protect the trees that are indicated to remain during
2 construction and development.
- 3 r. To properly and continuously maintain and supervise the private
4 facilities which have common use or benefit, and to recognize that
5 there may be additional maintenance issues or costs associated
6 with providing for the proper functioning of storm water
7 detention/retention facilities as they were designed and
8 constructed within the development, and that these are the
9 responsibility of the land owner.
- 10 s. To relinquish the right of direct vehicular access to S 120th Street
11 except for Seabiscuit Lane.
- 12 t. To maintain County roads until the County Board specifically
13 accepts the maintenance.
- 14 u. To submit to all potential purchasers of lots a copy of the ground
15 water report.
- 16
- 17 6. Before receiving building permits:
- 18 a. The Permittee shall complete the following instructions and submit
19 the documents and plans to the Planning Department office for
20 review and approval.
- 21 (1) A revised site plan including 5 copies showing the following
22 revisions noted in the County Engineers memo of January
23 11, 2005 including:
- 24 (a) Additional right-of-way dedication shall be shown to
25 provide 60 feet of right-of-way on South 112th Street
26 and South 120th Street.
- 27 (b) The centerline grade of Forgo Place to Sta. 0+00 is
28 one foot lower than the top of the culverts at Sta.
29 4+90. Water will be over the road before filling the
30 pipe.
- 31 (c) Culvert design information shall be submitted.
- 32 (d) All culverts shall have either a flared-end section or
33 concrete headwall on the inlet end.
- 34 (e) Lots 3 through 8 should have minimum opening
35 elevation shown that are based on the recent
36 Stevens Creek Master Plan information.
- 37 (f) Developer will be responsible for street signs, one
38 "stop" sign and one speed limit sign.

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- (2) Make the revisions in the Public Works memo of January 20, 2005.
 - (3) Revise the easements as requested in the LES memo of January 7, 2005.
 - (4) Add "with BTA" to the Title Block.
 - (5) Amend Note #7 to reflect the "Rural Public and Intermediate BTA Standard".
 - (6) Add a note that this is designed for future platting to a density of about 600 dwellings and for future subdivision of the acreage lots.
 - (7) Add a note that a written agreement shall be provided for the future conversion of lots to a higher density, including timing of annexation, funding of infrastructure cost, and agreement to petition for special assessment districts.
 - (8) Add a note that only one main building in a building envelope is allowed per platted lot.
 - (9) Show easements for the smaller BTA parcels in each lot.
 - (10) Note on page 3 this is the "Transitional Plat".
 - (11) Revise and note the street section on page 4 of 5 as the Rural Public Intermediate BTA Road Standard".
 - (12) Withdraw Windhoek 3rd Preliminary Plat # 99016.
 - (13) Revise the location of S 119th Circle to the west about 250 feet to serve the south area. Remove Outlot 'B' and 'C' as part of that revision.
 - (14) On Sheet 3 of 5, revise the back lots of Lot 3a,b,and c to reflect the realignment of S, 119th Circle (renumbered).
 - (15) Provide a drainage easement along the creek bisecting Block 1 and Block 2.
 - (16) Provide a pedestrian easement to Outlot A from the cul-de-sacs on Forgo Place and S. 116th Circle.
 - (17) Note on page 2 of 5 that the revised floodplain/floodway is based on the Stevens Creek Watershed information and show the revised flood plain.

1 (18) Revise Note #2 to reflect 26 lots.

2 (19) Revise the Outlot lettering for five outlots.

3 (20) A permanent final plan with 5 copies as approved.

4 b. The construction plans comply with the approved plans.

5 c. Final plat(s) is/are approved by the City.

6 d. The required easements as shown on the site plan are recorded
7 with the Register of Deeds.
8

9 7. Before occupying this Community Unit Plan all development and
10 construction is to comply with the approved plans.

11 8. Before occupying these dwellings City/County Health Department is to
12 approve the water and waste water systems.

13 9. All privately-owned improvements, including landscaping and recreational
14 facilities, are to be permanently maintained by the Permittee or an appropriately established
15 homeowners association approved by the City.

16 10. The site plan accompanying this permit shall be the basis for all
17 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
18 elements, and similar matters.

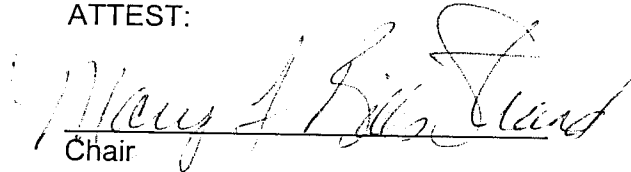
19 11. This resolution's terms, conditions, and requirements bind and obligate the
20 Permittee, and its successors and assigns.

21 12. The Permittee shall sign and return the letter of acceptance to the City
22 Clerk within 30 days following the approval of the special permit, provided, however, said 30-day
23 period may be extended up to six months by administrative amendment. The clerk shall file a
24 copy of the resolution approving the special permit and the letter of acceptance with the Register
25 of Deeds, filling fees therefor to be paid in advance by the Permittee.

1 13. The site plan as approved with this resolution voids and supersedes all
2 previously approved site plans, however all resolutions approving previous permits remain in
3 force unless specifically amended by this resolution.

4 The foregoing Resolution was approved by the Lincoln City-Lancaster County
5 Planning Commission on this 2nd day of February, 2005.

ATTEST:


Chair


Approved as to Form & Legality:



Chief Assistant City Attorney

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : February 3, 2005

RE : **Special Permit No. 05001**
(Off-sale alcohol at Gas 'n Shop - Sun Valley Blvd. & West "O" Street)
Resolution No. PC-00901

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 3, 2005:

Motion made by Carlson, seconded by Carroll, to approve **Special Permit No. 05001**, with conditions, requested by Cofco, L.L.C., for authority to sell alcoholic beverages for consumption off the premises at Gas 'n Shop located south of the intersection of Sun Valley Blvd. and West "O" Street. Motion for conditional approval carried 9-0 (Carlson, Sunderman, Marvin, Taylor, Pearson, Carroll, Krieser, Larson and Bills-Strand voting 'yes').

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Gas N Shop, Inc., 701 Marina Bay Place, 68521
Cofco, L.L.C., 701 Marina Bay Place, 68521
Judy McDowell, West "O" Street Area Neighborhood, 192 W. Lakeshore Dr., 68528
Richard Wiese, West "O" Street Neighborhood Assn., 6300 W. Superior St.,
68524-8872

RESOLUTION NO. PC- 00901

SPECIAL PERMIT NO. 05001

1 WHEREAS, Cofco, LLC, has submitted an application designated as Special Permit
2 No. 05001 for authority to sell alcoholic beverages for consumption off the premises at Gas 'n Shop
3 located south of the intersection of Sun Valley Blvd. and West O Street, legally described as:

4 A part of Lot 98, I.T. in the Northeast Quarter of Section 27,
5 Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster
6 County, Nebraska, and being more particularly described by metes
7 and bounds as follows:

8 Beginning at a 5/8 inch x 30 inch rebar for the northeast corner of
9 the tract herein described on the south right-of-way line of West O
10 Street, said point also being the northeast corner of said Lot 98 I.T.,
11 and being south 89 degrees 28 minutes 18 seconds west, 754.10
12 feet, and south 00 degrees 31 minutes 42 seconds east, 92.32 feet
13 from the northeast corner of the aforesaid Section 27; thence south
14 00 degrees 09 minutes 09 seconds east (assumed bearing), a
15 distance of 79.10 feet along and with the east line of said Lot 98 I.T.
16 to the point of curvature of a curve to the right, having a central
17 angle of 07 degrees 40 minutes 00 seconds, a radius of 2172.01
18 feet, an arc length of 290.63 feet, and a chord bearing south 03
19 degrees 41 minutes 00 seconds west, 290.42 feet; thence
20 southwesterly along and with the arc of said curve, a distance of
21 290.43 feet to the point of tangency thereof; thence south 07
22 degrees 31 minutes 00 seconds west, continuing along the aforesaid
23 east line of Lot 98 I.T., a distance of 150.79 feet to a point thereon
24 for the southeast corner of the tract herein described; thence north
25 89 degrees 54 minutes 00 seconds west, a distance of 708.04 feet
26 to the southeast corner of Lot 70 I.T., and being the southwest
27 corner of the tract herein described; thence north 00 degrees 06
28 minutes 00 seconds east, a distance of 518.50 feet along and with
29 the east line of said Lot 70 I.T. to the northeast corner thereof and
30 the northwest corner of the tract herein described, on the south right-
31 of-way line of O Street; thence south 89 degrees 53 minutes 55
32 seconds east, a distance of 745.31 feet along and with the said
33 south right-of-way line to the place of beginning;

1 WHEREAS, the real property adjacent to the area included within the site plan for
2 this permit to sell alcoholic beverages for consumption off the premises will not be adversely
3 affected; and

4 WHEREAS, said site plan together with the terms and conditions hereinafter set
5 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
6 the public health, safety, and general welfare.

7 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
8 Planning Commission of Lincoln, Nebraska:

9 That the application of Cofco, LLC, hereinafter referred to as "Permittee", to sell
10 alcoholic beverages for consumption off the premises on property legally described above be and
11 the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal
12 Code upon condition that operation of said licensed premises be in strict compliance with said
13 application, the site plan, and the following additional express terms, conditions, and requirements:

14 1. This permit approves the sale of alcoholic beverages for consumption off the
15 premises.

16 2. Before receiving building permits the Permittee submit six copies of a revised
17 site plan to the Planning Department, for review and approval, that includes:

18 a. Dimensions.

19 b. Property lines.

20 c. Scale.

21 d. Clearly delineates the licensed premises.

22 e. Parking calculations.

23 f. Parking lot layout.

24 3. Before the sale of alcohol for consumption off the premises, all development
25 and construction must conform to the approved plans.

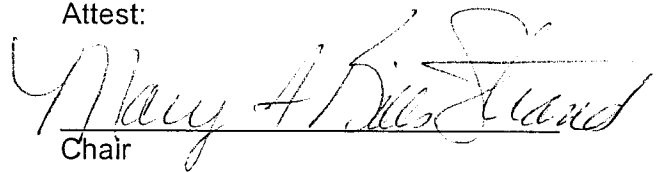
1 4. The site plan accompanying this permit shall be the basis for all
2 interpretations of setbacks, yards, location of buildings, location of parking and circulation
3 elements, and similar matters.

4 5. The terms, conditions, and requirements of this resolution shall be binding
5 and obligatory upon the Permittee, its successors, and assigns. The building official shall report
6 violations to the City Council which may revoke the special permit or take such other action as may
7 be necessary to gain compliance.

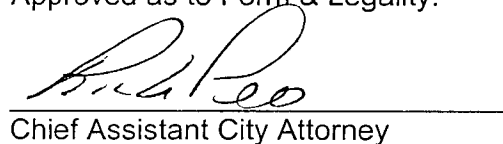
8 6. The Permittee shall sign and return the City's letter of acceptance to the City
9 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
10 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
11 of the resolution approving the special permit and the letter of acceptance with the Register of
12 Deeds, filing fees therefor to be paid in advance by the Permittee.

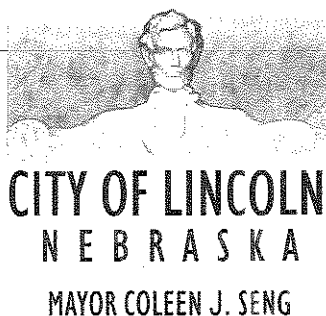
13 The foregoing Resolution was approved by the Lincoln City-Lancaster County
14 Planning Commission on this 2nd day of February, 2005.

Attest:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney



lincoln.ne.gov

StarTran
Public Works and Utilities Department
Allan Abbott, Director
710th Street
Lincoln, Nebraska 68508
402-441-7185
fax: 402-441-7055



January 28, 2005

Mr. Ron Davis
3405 Holdrege St - #102
Lincoln NE 68503

Dear Mr. Davis:

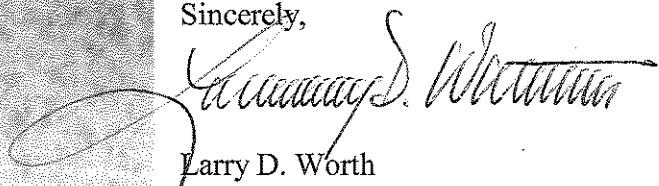
Thank you for your January 26, 2006 letter in which you expressed concerns regarding the recent revision of the #27 route in the area of Whitehead and N 27th Street.

This portion of the route was relocated to the west side of N 27th Street on December 13, 2004, preceded by several days of on-bus notification of the proposed change. Only positive comments regarding the proposed relocation were received prior to implementation of the change. The relocation was suggested by ATU union officials, representing the StarTran bus operators, to address safety concerns of the drivers and of the patrons of that route. Such relocation eliminates the need for drivers to turn left (westbound to southbound) across four lanes of high-speed traffic at 27th and Whitehead, and for the patrons who are employed on the west side of the 27th Street to cross 27th Street at that intersection.

We do however, acknowledge the safety concerns you experience crossing 27th Street eastbound to the restaurant at 27th and Whitehead. As such, I have asked that a bus stop be placed on the east side of N 27th Street about a half-block south of Whitehead, where a patron may board or exit the northbound bus prior to it making a left (westbound) turn at 27th and Whitehead. This will enable you, and any other StarTran patrons, who wish to travel to the businesses on the east side of 27th Street the opportunity to do so without crossing 27th Street.

I also appreciate your advising us of the need to empty the trash cans at 27th & "O" and at 36th Street near the UNL East Campus. We will address that problem as soon as possible.

Sincerely,


Larry D. Worth
Transit Manager

cc: Mayor Coleen Seng
Ann Harrell
Les Helms
City Council
Cracker Barrel



From: Chairman of Davis Energy Systems of North America, (a one man international company). R. Allen Davis the 1st
3405 Holdrege Street, Luxury Suite #102
Lincoln, Nebraska 68503 *home of the No. 1 ranked UNL bowling team

To: Mr. Larry D. Worth, Transit Manager (extraordinaire)
StarTran-Public Works and Utilities Department
710 J Street
Lincoln, NE 68508

Dear Mr. Worth:

As I was sitting here today thinking about one of the latest StarTran bus route changes that has had a most detrimental impact upon my life, I thought to myself, "self, why not write your pen pal Mr. Larry Worth a letter on this matter"? So, this is what I am doing. For as you can plainly see from the StarTran bus route map for the 27th Street Shuttle (North Direction) below, this bus is **suppose** to go north on Wildcat Drive instead of south on Whitehead. But much to my dismay, the last few times that I have taken this bus it has went in the opposite direction from where my favorite gourmet eating place is, (the Cracker Barrel). Thus, this requires me to have to walk across the very busy 27th street traffic in order to get over to the Cracker Barrel when all I use to have to do before was go across this fine restaurant's parking lot in order to get to the front door. Now the reason that I like to eat at the Cracker Barrel so much is because it is one of the few gourmet restaurants that I have found that can make "chicken and dumplings" the way my good old mother use to be able to make them back before she got Alzheimer's disease and then died from it last fall. So you see, by my being able to eat at the Cracker Barrel now and then, I am able to thus partake of a ritual that reminds me of my dear mother's good cooking, (by sitting down and eating some of the Cracker Barrel's exceleent strip dumplings and chicken). Now I know that you are probably asking yourself why I don't just go across the 27th street traffic that is still traveling at I-80 speeds as they exit at that ramp and stop trying to get the StarTran bus company to change the routing of its buses back to the way that they use to run. Well have you ever seen a 56 year old broken down man trying to dodge an 80 mph speeding car on 27th street with a cane before? If not, let me tell you that the sparks sure fly high as I am doing my best to "raise as much cane" as fast as I can in order to dodge those type of cars with my cemetery plot's name written on its sides!

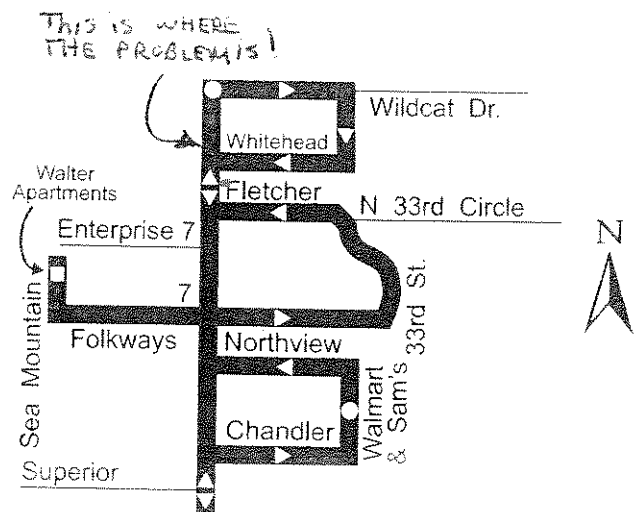
As a reminder to you, I thought that I would attach a picture of my dear mother back in her "hey days" when she was young and not in bad health. For one of the few things that I use to enjoy doing around here was eat at the Cracker Barrel. But as with most things in life, (at my advanced age), this is just one more luxury that I use to enjoy doing which I can no longer do. For both my mother and I use to enjoy eating at the Cracker Barrel for breakfast right before we would go over to Council Bluffs and spend a \$20 bill a piece each trying to get rich at some upstanding businesses in that area. Then after we would lose all of our hard saved money on those "one arm bandits" at the local casinos in Council Bluffs, we would stop by the Cracker Barrel on our way home and have a good plate of those "chicken and dumplings" while we would "lick our wounds" from losing so much money at those darn casinos! But every now and then when we would hit it rich and win a \$50-\$200 jackpot on one of those machines, then as we would come home we would stop at the Cracker Barrel and celebrate by having you know what. Yes, a good dish of that health food known as "chicken and dumplings". So do you see any pattern here? For first the good Lord takes away my dear mother. Then StarTran takes away my easy access to my mother's and my favorite gourmet restaurant. So what's next? Is somebody going to take away my right to eat? Well, that is all that I have to write to you about today. If I think of anything else, do not worry, I will send you another letter. O-h-h-h, now that I think of it, the trash can at the 27th and O Street bus shuttle next to Paycheck Advance was overflowing with trash while I was there the other day. And then the bus shelter near the UNL-East Campus and approximately 36th street had an overflowing trash can too. Now if I get my old 27th Street-North bus route back, perhaps I will not be able to see those overflowing trash cans so easily, (what with my poor eyesight and all)! Do you catch my drift?

P.S. In case you are wondering, except for these minor distractions,
my paper on curing Alzheimer's is coming along fine.

Bona apatite,

R. Allen Davis the 1st

Copy to the usual:
•Mayor Coleen Seng
•Director Allan Abbott
•Mr. Les Helms
•City Council
•Management at the
Cracker Barrel



M E M O R A N D U M

To: Town Hall Attendees, City Council Members, Mayor Coleen Seng
From: Larry Worth - StarTran
Date: January 28, 2005
Subject: Summary of StarTran Town Hall Meeting, 1/22/05

The 2004 StarTran Town Hall Meeting was held 10:30 a.m. - Noon at the Energy Square Building on January 22, 2005. The meeting was conducted again, for the third consecutive year, in an "open house" format, with five "stations" addressing the following subjects, each manned by StarTran and other appropriate staff...

- Marketing/Promotional Activities
- Special Transportation Services
- Current Services
- Short/Long-Range Actions
- Downtown Master Plan

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OFFICE

Fourteen persons attended the meeting, and several issues were raised by the attendees. The following are those issues, with staff response to each...

1. ***Request for enclosed bus shelters*** – It is understood that the bus shelters being addressed are the new shelters on Lincoln Mall, 10th - 14th Streets. These shelters are of a different design than other StarTran bus shelters, as they were designed to be integral with the redesign of Lincoln Mall. It is acknowledged that the subject shelters are more "open" in design than other StarTran bus shelters, and afford less protection from the weather elements. StarTran will contact the local designer/builder of the subject shelters with these concerns to inquire as to potential solutions which would afford increased protection from the weather.
2. ***14th & "L" bus stop has a tree blocking the view of incoming buses*** – StarTran staff have checked the location of the bus shelter and tree at 14th & "L" Streets. StarTran will contact the City Arborist to request that the subject tree is trimmed to an extent which would minimize it being a sight obstruction.
3. ***Requested service to the Haymarket area*** – A Downtown Master Plan Study is underway which, in part, addresses public transit services within the Downtown and Haymarket areas. A Planning Department staff person was available at the Town Hall Meeting providing information as to alternates being considered in that regard. The Downtown Master Plan Study is expected to be completed later this year, with implementation of transit-related recommendations to follow as funds are available.

4. ***Requested evening service*** – It is acknowledged that extending weekday evening services would provide greater transportation opportunities and convenience for many employees, shoppers, and students. However, assuming one-hour headways and service until 10:00 p.m. for all regular weekday services, the cost of such a service extension is over \$700,000/year. This amount is not available in the current StarTran budget. Service hours of future transit services was addressed in the Multi Modal Transportation Study, and acknowledged the need for extension of service hours in the future.
5. ***Requested Sunday service*** – The operation of StarTran services on Sunday would afford increased transportation opportunities and convenience for both employees and shoppers. The cost of such additional service is estimated to be over \$500,000 – this amount is not available in the current StarTran budget. The future operation of partial Sunday service was recommended in the Multi Modal Transportation Study.
6. ***Requested Airport service*** – StarTran has been in contact with Lincoln Airport Authority (LAA) officials as to the potential of cooperatively initiating public transit services to/from the Lincoln Municipal Airport. The cost of such service, which would be expected to serve the transportation needs of airport area employees and some airline passengers, is estimated to be over \$100,000 annually. StarTran looks forward to continuing such interaction with LAA to initiate such services in the future.
7. ***Requested service to the Lancaster Events Center*** – It is acknowledged that the Lancaster Events Center is now within the Lincoln city limits, and, as such, may be afforded public transit services by StarTran. As a result, StarTran has provided transit services for several events conducted at that facility, on a contractual basis. It is expected that such public transit services will be continued as requested.

As in previous years, the above comments and approved responses will be forwarded to those who attended the 2005 Town Hall Meeting and elected officials.

TO: LLWC Commissioners
Mayor Coleen J. Seng
Lincoln City Council Members
Lancaster County Board of Commissioners
Lancaster County Towns/Villages/Boards
FROM: Bonnie Coffey/Lincoln-Lancaster Women's Commission
DATE: 1/31/05
SUBJECT: Director's Report – January 2005

LLWC offices were closed on 1/1/05 and 1/17/05.

Community Learning Center (CLC) Initiative

Background: The City of Lincoln was one of eight cities nationwide to receive a thirty-month technical assistance grant to engage the city in CLCs; I served as point person for that grant, and continue to serve on the management team for the CLC initiative in Lincoln. Community Learning Centers are partnerships that provide opportunities and support services that lead to improved student learning, stronger families and stronger communities. There are currently 15 CLCs in Lincoln funded by a blended stream of 21st Century, PEN and grant monies.

●The CLC Management Team met on 1/10 to discuss the upcoming 3rd "Community Conversations" SNAC Summit for CLCs and neighborhood associations scheduled for 1/29.

Community Services Initiative (CSI)

Background: CSI is the implementation of plans developed through a community-wide survey of gaps in human services needs. A recent revamping of the organization has resulted in collapsing seven coalitions that address needs, including Housing, Transportation, Early Childhood & Youth Development, Violence, Behavioral Health, Basic & Emergency Needs, and Medical Health Care, into four (with an additional two being picked up by the City of Lincoln Urban Development Department and the Lincoln-Lancaster County Health Department. Each group has a paid staff person, although Success by 6@/Youth Development has not yet had an identified staff person. As a result of the revamping, Julie Cervantes-Salomon of Heartland Big Brother Big Sisters and I no longer serve as co-chairs, although we continue to be involved.

●A joint meeting of Success by 6@ and Youth Development was held on 1/6 with Robin Mahoney and Kit Boesch for a discussion on how the group will move forward. Afterwards, a preliminary planning meeting for the Mayor's Summit, "One Vision – One Voice" was held, determining who would be handling what tasks.

●A planning meeting for the Mayor's Summit on Success by 6@ and Youth Development was held on 1/27. The date is set for June 17; a program committee will be meeting next month to develop goals and objectives.

Women's Leadership

Background: During LLWC's strategic planning following the "Women's Voices" project that

surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health."

- On 1/4, LLWC was pleased to attend the ceremony during the Lancaster County Commission of "Volunteer of the Month" to LLWC commissioner Nancy Intermill. Nancy has shared lots of time and talents with LLWC; we are glad she's here!

- The Mentoring Project to develop a research-based mentoring model beginning with African American teen women met on 1/25. A focus group will be formed for the IRB process to provide data to move forward. Stakeholders include State Farm Insurance and the University of Nebraska-Lincoln.

Women's Health

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health." LLWC Director Bonnie Coffey serves as a liaison to the Family Violence Council and Co-Chair of the Changing Attitudes Committee (a subcommittee formed to implement part of the FVC strategic plan to address community attitudes concerning violence).

- As a liaison to the Family Violence Coalition, I attended their meeting on 1/4 to learn more about the changes in the CSI program and its impact on the Family Violence Coalition. FVC is being asked to include child abuse in their program; the board will discuss the issue more next month. The group also discussed upcoming bills in the Unicameral.

- A planning meeting for the "Go Red for Women" luncheon slated for February 12, cosponsored with the American Heart Association to emphasize the importance of women's heart health, was held 1/6.

- Information on sexual and racial harassment was provided to Career Classes at Northeast High School on 1/24 and at North Star High School on 1/26.

Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC).

Background: For several years, LLWC has been an active member of TPPC. LLWC's director serves as Media/PR Committee Chair for 2004/05.

- TPPC met on 1/11, with discussion centering on presenting a community forum to help parents communicate with the children on issues of sex education. A tagline was approved by the membership, and is being crafted into a postcard with a cartoon from Paul Fell.

- An in-depth planning session was held on 1/25 for the proposed community forum. The event has been set for May 19 (May is National Teenage Pregnancy Prevention Month), 7-9 pm at Bryan LGH West, with the title, "Sex, Drugs & Rock & Roll: Everything Parents Need to Know." If the event is successful, another will be presented in October, National Family Sexuality Education Month.

Media/PR/Speaking

- Information on LLWC was presented on My 106.3 FM on 1/5 (announcing the winners of the LLWC annual awards) and 1/19 (the Go Red for Women luncheon, cosponsored by LLWC).
- On 1/4, I had the opportunity to speak to the Sunrise Rotary, sharing information on LLWC's two reports (*Women's Voices* and *A Place at the Table*) and an update from the Institute for Women's Policy Research (IWPR) on the status of women in Nebraska.
- I provided testimony in support of LB 10, Senator Landis' bill to lower the number of employees (from 25 to 15) to cover businesses in wage discrimination laws.

Meetings/Public Contacts

- The Friends of LLWC met on 1/13, approving upcoming projects.
- A conference call with the executive committee of the National Association of Commissions for Women (NACW) was held on 1/28 in preparation for the upcoming winter board meeting in Washington, DC; I serve as national secretary.

WomenTalk

Background: This unique television series addressing the issues that impact women was inaugurated in January 2000, and is the only one of its kind in the city/county; all of the programs since its inception have been underwritten by the Lincoln Journal Star and are at no cost to LLWC.

- Upcoming programs include:
 - January 2004 – "Leading the Way - Women in Leadership"
 - March 2005 – Perspectives: Muslim Women"
 - May 2005 – "Overexposed: Dangers of Tanning"
 - July 2005 – "Invited In: Internet Predators"
 - September 2005 – "How to Get Ahead Without Going to the Golf Course"
 - November 2005 – "Crystal Catastrophe: Women and Meth"
- Seeking to move WomenTalk to the next level, LLWC is working to procure a professionally designed backdrop. With the continued success of the programs, it was time to provide a consistent, professional theme to the program. Retired UNL prop master Art Kuhr is working on designs and we hope to have one in place in time for the March 2005 program.

Regularly Attended Meetings

- LLWC Staff Meetings are held each Monday at 9 a.m. to review the week, touch base and coordinate schedules and activities.
- Each Monday at 10:45 a.m., I attend the Directors Meeting held with City Council.
- Each Wednesday from 9-11 a.m., I attend the Mayor's Cabinet meeting. Weekly reports

are e-mailed to the Mayor each Monday morning.

- City/County Common meeting on 1/4.

- LLWC monthly meeting was held on 1/12.

- I was on vacation 1/3;

Memorandum



To: Patte Newman
CC: City Council Members, Mayor Seng
From: Chief Tom Casady
Date: January 31, 2005
Re: RFI 28

1. What is the status of police radios? How many officers have received newer equipment and what is the remaining funding need?

During Federal fiscal year 2003-2004 we received funding that allowed us to replace 130 portable radios. This is slightly less than half of the radios that are most in need of replacement in the short term— MPA models that were acquired in the early 1990's. This replacement was funded primarily from Homeland Security Grants. For Federal fiscal year 2004-2005, we have received a COPS Communications Interoperability grant which requires a City match of \$152,560. The match is coming from the reappropriation of the unspent portion of our FY 2003-2004 budget. We intend to devote the full amount of this match portion to portable radio replacement. Along with another reappropriation of about \$39,000 we expect to receive from the Nebraska Emergency Management Agency from unspent Homeland Security funds, we ought to be able to replace about 47 additional MPA radios. This will leave about 90 MPA radios that need to be replaced as soon as possible. This will cost approximately \$270,000. When we are done replacing the MPA portable radios, we will start working forward on a few other portable radio models that we own in much smaller quantities (60) and that are slightly newer. These will need replacement within the next five years. We intend to continue to devote available grant funds and reappropriation to this purpose as our first priority.

2. There are rumors that the excellent long term police work which led to the arrest of the serial bank robber two weeks ago resulted in a reward in excess of \$20,000. Is this rumor true and will this money be used for what many feel is a very pressing need for the safety of the community and our police force, new police radios?

This rumor is untrue. We are not eligible for any reward. I imagine this rumor stems from the following events: On Tuesday, January 21, 2005, I received an email

from an officer at a Lincoln bank. This was a congratulatory email concerning the arrest in connection with 13 bank robberies. He mentioned that several years ago, a financial institution presented the police department with a donation of equipment to improve our ability to process videotapes from security cameras. He wondered if there were any similar needs. He thought that it might be a good time to solicit some donated funds from financial institutions, and offered to talk to other institutions. I responded by telling him that it would be nice to fund some items in support of our Crime Analysis Unit and functions, which played a key role in the success of this project. I wanted to provide a range of items, since he did not know how much he could be raised. He had suggested a range of \$5,000 to \$10,000. I suggested either dual large-screen monitors for our briefing room, a commercial color laser printer, or a consumer-grade color laser printer. This covers a price range from around \$1,500 for a nice consumer grade color laser to \$10,000 for a pair of large-format monitors. The manner in which this equipment would be employed in support of our Crime Analysis function is described in the text of my email in response to his offer to make some fundraising contacts, which is inserted below.

I did not suggest radio replacement, because I felt that in the context of his offer to lead this fundraising, it was more appropriate to suggest equipment that would support the kind of work that resulted in the arrest and that would be difficult to acquire otherwise. I do not think that we should solicit donations for basic day-to-day police equipment like portable radios. In addition, when the video equipment was donated several years ago, we invited the donors down and had a news media event, which resulted in some nice coverage for them. I did not think that unveiling one (or possibly two) portable radios would be particularly satisfying for those financial institutions that had contributed.

Thanks very much. It really was an incredible case. We are all still smiling from ear to ear. I've been giving some thought to what we could really use and asking others. We think it would be most appropriate to seed our Crime Analysis function--since it played a huge role in our success. Here's our Christmas list.

1. A pair of NEC 50" plasma monitors for the briefing room.
\$10,000

We would love to equip our briefing room with appropriate computer monitors to more effectively display our crime maps, mugshots, surveillance photos, PowerPoints, e-bulletins, status monitors, and similar computer screens to our personnel. We do a huge amount of electronic content these days, and 19-inch monitors or LCD projectors and screens are just not cutting it for the briefing room. The briefing room is the hub of the police department, where each shift

January 31, 2005

assembles seven times daily, and where we have a good share of our meetings for special events and projects. We would love to have you (or others) come to one of our ACUDAT meetings (these are our Crime Analysis briefings and strategy sessions) so you could see exactly the kind of work we are doing, and how large monitors in the briefing room would help. We have in mind something similar to the big screen displays that you see at the gate at some of the major airports (and a lot of bars!) these days--50" flat panel ceiling-mounted computer monitors. We've been trying to work this into our budget for the past couple of years, but to no avail. We need two, and we think we could bring it in right at \$5,000 each.

2. A mid-range business class color laser printer: \$5,000

Again, something to support our Crime Analysis Unit that we haven't been able to get through our budget. We distribute lots of maps, bulletins, aerial photos, charts, mugshots, surveillance photos and other rich material that is really enhanced with color, but desktop ink jet printers are just not suitable for the kind of quantity we often need. As a result, we rely on B&W laser prints for the most part. We have a couple dye-sub photo printers for mugshots, but the cost and size limitations make them unsuitable for any kind of quantity. In many cases, we'd like to be able to output a couple dozen full color maps with aerial photos, a ream of Crime Analysis bulletins, a handful of mugshot spreads, etc.. The printer class we have in mind (Xerox 7750 series or similar) is right in the range of \$5,000. If the fundraising is less successful, we would scale back to something more consumer-oriented, and do less volume less often--but it would still be a big improvement. Again, we would love to show you and others some sample of the materials we're producing for our staff, so you could see how a production color laser would enhance what we're doing.

Thanks for thinking of us, and if you do get something going, please think about getting some people together for a visit down to the department. Sometimes a picture's worth a thousand words!

Tom Casady, Chief of Police
Lincoln Police Department
575 S 10th Street
Lincoln, NE 68508
402.441.7237
<mailto:tcasady@ci.lincoln.ne.us>

Members of City Council:

RECEIVED
JAN 31 2005
CITY COUNCIL
OFFICE

Terry

As the resident living immediately across from the proposed zone change, we strongly recommend denial of this 24-hour restaurant. It does not fit our neighborhood of homes and churches, nor the Council's approval of the resolution for this property.

In the FACT SHEET prepared for this change we call your attention to page 3, number 7 where the staff recommended that the applicant meet with neighbors to address any concerns they may have and to reach agreement on the amendment prior to public hearings. THIS WAS NEVER DONE. We were notified by letter dated December 23, 2004 that the Planning Department would meet January 5, 2005. None of our neighbors were notified. Unfortunately we were out of the state at the time. When the Home Depot zone change was requested we were called for a meeting where 100+ neighbors appeared and strongly opposed the change. It had little impact of concern on our council at the time. Therefore, zone change was allowed with buffered design landscape to screen the bright orange sign of Home Depot. I have included photos of the trees as they stand today. In comparison to a local nurseries new plantings it is quite obvious the selection of screening material is a less expensive method and inappropriate.

We were given Mayor Wesley's position on this project in a letter addressed personally to us. He took a very public stance of opposition to further retail strip mall development between 56th and 84th Streets along the highway. Mary Jo Livingston agreed to his requests to substitute office space for the grocery store and other retail space she proposed for the eastern part of the land. As the community continues to grow to the southeast we must have a blueprint for developing Highway 2 that allows for development but does not create a strip mall environment. The sub area plan provides that opportunity and that protection.

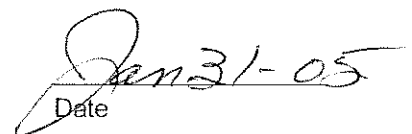
We, too, felt the compromise was a reasonable resolution for the corridor of city as a whole.

Bob and I are extremely concerned with the traffic at this corner. Cars traveling north to south or vise versa are going much faster then 55 mph. Trucks are a threat to safety as they drive 55-70 thru this intersection.

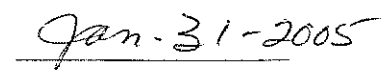
Mayor Seng introduced and signed the motion to amend this zone change in 2000. It too read as follows, "No service station or convenience store shall be allowed. The hours of operation of the shopping center shall only be allowed between the hours of 5:00 am to 12:00 midnight."

These agreements communicate an understanding between our city government and the people they represent. To modify or change past discussions certainly compromise trust in our city planners. Again, we ask for you to honor your predecessor's work and vote against this proposed amendment.


Bob Batterman


Date


Kathy Batterman


Date

Lincoln



Nebraska's Capital City

December 13, 2000

Mr. & Mrs. Batterman
6901 Almira Lane
Lincoln, NE 68516

Mr. & Mrs. Batterman:

Thank you for taking the time to write to me about the development at 70th Street and Nebraska Highway 2.

As someone who has been following this issue, you know that I recently announced my position on this project. My proposal required the developer to compromise to ease the retail impact of the project. I also took a very public stance in opposition to further retail strip mall development between 56th and 84th Street along the highway.

Developer Mary Jo Livingston agreed to my request to substitute office space for the grocery store and other retail space that had been proposed on the eastern half of her land. The Home Depot remained on the western part of her property. In addition, I asked Mrs. Livingston to pledge, which she did, that the land she owns on the north side of Highway 2 near the Pine Lake area will be developed as residential or residential transition and not retail. These changes should alleviate some of the concerns of nearby neighborhoods who were worried about additional traffic congestion and future commercial retail development in this corridor. The City Council approved this compromise.

I also urged the Planning Commission and City Council to adopt the Highway 2 Subarea Plan as drafted by the Planning Department. The Commission and Council will vote on the plan in January. I made it clear I will not support high-density retail proposals that do not conform with this plan. As the community continues to grow to the southeast, we must have a blueprint for developing Highway 2 that allows for development but does not create a strip mall environment. The subarea plan provides that opportunity and that protection.

I know that some people disagree with my position. They like the area as it is, but Lincoln is growing and change is inevitable. Change can also be very difficult. In my opinion, the compromise was a reasonable resolution for the corridor and city as a whole.

Again, thank you for writing.

Sincerely,

Don Wesely
Mayor of Lincoln
DW/ah

00R-320

MOTION TO AMEND #2

I hereby move to amend Bill No. 00R-320 in the following manner:

1. On page 2, in line 6, after the period insert two additional sentences to read as follows:

No service station or convenience store shall be allowed.

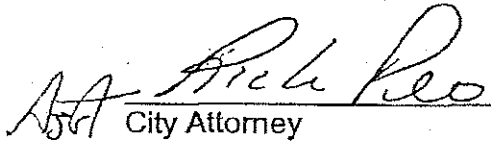
The hours of operation of the shopping center shall only be allowed between the hours of 5:00 a.m. to 12:00 midnight.

Introduced by:


COLEEN SENG

AYES: Cook, Fortenberry, Seng, Shoecraft;
NAYS: Camp, Johnson, McRoy.

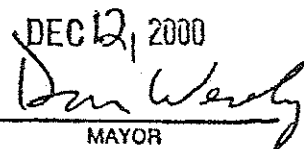
Approved as to Form & Legality:


City Attorney

Staff Review Completed:


Administrative Assistant

APPROVED

DEC 12, 2000

MAYOR

Requested by: Jonathan Cook.

ADOPTED

DEC 4 2000

By City Council

City Council Introduction: **Monday**, January 24, 2005
Public Hearing: **Monday**, January 31, 2005, at **5:30 p.m.**

Bill No. 05R-20

FACTSHEET

TITLE **USE PERMIT NO. 132A**, an amendment to Willowbrook, requested by Mark Hunzeker on behalf of Livingston Investments, Inc., to eliminate the restriction on the hours of operation for Lot 1, Willowbrook, to allow 24-hour operation, on property generally located southeast of the South 70th Street and Highway 2 intersection.

STAFF RECOMMENDATION: Conditional Approval

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/05/05
Administrative Action: 01/05/05

RECOMMENDATION: Conditional approval (6-0: Marvin, Krieser, Sunderman, Taylor, Carlson and Bills-Strand voting 'yes'; Carroll, Larson and Pearson absent).

FINDINGS OF FACT:

1. Note C of the original use permit restricted the hours of operation of the shopping center to not allow operation from 5:00 a.m. to midnight. This request seeks to amend that note to allow 24-hour operation on Lot 1, but leave the restriction intact for the remaining lots in the development. The amendment is requested to allow a sit-down type restaurant which operates 24 hours a day.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3, concluding that some of the uses allowed in the B-2 Planned Neighborhood Business District are uses that may operate 24 hours a day. The limitation on hours was included by the developer at the request of surrounding property owners. Provided the developer and surrounding property owners have reached agreement on the elimination of the restriction, staff does not object.
3. The applicant's testimony is found on p.6, and the photographs submitted by the applicant at the public hearing are found on p.12-14. The proposed 24-hour restaurant business is an IHOP.
4. Testimony in opposition on behalf of the Family Acres Neighborhood Association is found on p.6. The Association does not believe there is sufficient buffer or transition to the two residential areas.
5. The applicant's response to the opposition is found on p.7, indicating that there is nothing else that could be done to further buffer the site, noting that the specific site is cut down at least 10-15 feet. The applicant further suggested that the greater impact on the residential areas would be from the existing city road improvements rather than any impact from the proposed use on Lot 1.
6. Commissioner Carlson inquired about signage and the applicant indicated that there would be no pole sign for this individual building.
7. On January 5, 2005, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval, as set forth in the staff report dated December 20, 2004. The conditions of approval are found on p.3-5.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 14, 2005

REVIEWED BY: _____

DATE: January 14, 2005

REFERENCE NUMBER: FS\CC\2005\UP.132A

ANALYSIS:

1. Several limitations upon the uses allowed within Willowbrook were approved as part of the use permit (see attached notes from UP#132 provided by the applicant). Note C limited the hours of operation of the shopping center from 5:00 a.m. to midnight. This request seeks to amend that note to allow 24-hour operation on Lot 1, but leave the restriction intact for the remaining lots in the development. The amendment is requested to allow a sit-down type restaurant which operates 24 hours a day.
2. Of the uses allowed in the B-2 district per Title 27 Chapter 27.31, some are uses that by their nature operate 24 hours a day. As a use permit district, the intent of the B-2 Planned Neighborhood Business District was to be compatible with residential areas and help provide commercial services to serve the surrounding neighborhood. The Environmental Performance Standards of the City of Lincoln Design Standards also apply to the B-2.
3. A sit-down restaurant is an allowed use in the B-2, and is compatible with this development.
4. The lot affected by this amendment is located in the northwest corner of the development at the intersection of South 70th Street and Highway 2. Proximity to the intersection makes it a less sensitive site than the others in the center.
5. The prohibition of uses with on-sale consumption of alcohol as the primary source of business remains in effect for the entire development.
6. During the public hearings on the use permit in 2000, concerns were raised over the impact of the development upon surrounding properties. Some of the limitations upon uses in the center as expressed in the notes were in response to those concerns.
7. During the review the applicant was informed that a restaurant is an allowed use in the B-2 and that staff did not object to the proposed amendment. However, staff also recommended that the applicant meet with the neighbors to address any concerns they may have and to reach agreement on the amendment prior to the public hearings.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 Note C amended to read as follows: "THE HOURS OF OPERATION OF THE SHOPPING CENTER SHALL ONLY BE ALLOWED BETWEEN 5:00



**DO NOT REPLY to this-
InterLinc**
<none@lincoln.ne.gov
>

To: General Council <council@lincoln.ne.gov>
cc:
Subject: InterLinc: Council Feedback

01/31/2005 03:29 PM

InterLinc: City Council Feedback for
General Council

Name: ken kiewra
Address: 6400 south 66th street
City: Lincoln, NE 68516

Phone: 421-6773
Fax:
Email: kkiewra1@unl.edu

Comment or Question:
Mr. Camp,


I hope that you will be supporting your constituents tonight at the council meeting. As you know, the Country Meadows neighborhood is strongly opposed to a change of zoning at the Home Depot property that would allow for an all night restaurant. This was one of the small concessions the neighbors surrounding Home Depot earned years ago when we fought the original Home Depot project that you supported. We were also promised beautiful landscaping that, of course, never materialized. The restaurant is planned for the only portion with some landscaping. Moreover, the process here is tainted. Our neighborhood was never notified about the change of zoning proposal. We had to see it on television after it had gone through planning. In summary, planners said they would approve this only with neighbors' support. The support from neighbors is not there. I hope that this time you'll stand with the homeowners who elected you and deny the change of zoning.

ken kiewra



Joan V Ray

02/01/2005 12:02 PM

To: "Mary Ann Genrich" <mgenrich@neb.rr.com>
cc:
Subject: Re: Livingston Property on Highway 2 

Dear Ms. Genrich: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Mary Ann Genrich" <mgenrich@neb.rr.com>



"Mary Ann Genrich"
<mgenrich@neb.rr.com>
m>

01/31/2005 08:55 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Livingston Property on Highway 2

I just wanted to Thank you for supporting the neighbors by not approving the amendment change.

The Country Meadows Association found out about this proposal after someone saw it on the Agenda for Public Hearing.

Thank you again for not letting someone change the rules after they had been agreed on before.

Mary Ann Genrich
6340 South 66th
Lincoln NE 68516



Joan V Ray

02/01/2005 12:36 PM

To: DBrtek@southeast.edu

cc:

Subject: Re: Fw: I'm glad...

Dear Mr. Tobkin: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

DBrtek@southeast.edu



DBrtek@southeast.edu

02/01/2005 12:31 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Fw: I'm glad...

This was forwarded onto me by several people. I thought you all might like to see it.

-----Original Message-----

From: Kendra Houseman [mailto:kendra.houseman@tagtmi.com]

Sent: Tuesday, February 01, 2005 12:13 PM

To: 'Dana Heikes'; 'Cara Connors'; 'Matt Brewer (RTF)'; 'Nicole Crouse';

'Jason McCartney (RTF)'; 'Leslie Booth (RTF)'; 'Trisha Anderson (RTF)';

'Cathy Barry'; 'Cheryl Neuhaus'

Subject: FW: I'm glad...

I'm glad the city cares so much about it's citizens...

I'm glad the city Paid twice the appraised value for the land along

48th

and "O"

I'm glad the city paid to have a consultant tell us to build an event

center downtown, With money we don't have, when we already

have an

event

center downtown that no one will

play at, in a downtown area

that no

one

will go to because

there is no parking.

I'm glad the city removed the tax free status on home

improvements, making

it harder to get landlords to make

improvements.

I'm glad the city built a sports center entirely from cigarette tax revenue,

then made the place non-smoking.

I'm glad the city scooped the bike trails before they scooped some

of

the
city streets.
I'm glad the city refused to pay for damaged mailboxes after last January's
snowstorm.
I'm glad the Mayor though it would be okay to charge the Vice-
President of
the United States of America (and former Lincolnite) for his
security, and
not charge a Neo-Nazi Skinhead organization for theirs.
I'm glad the Mayor blocked several votes to remove the parking on Leighton
Ave., creating a dangerous street because she didn't want to
reduce rent
or
build parking lots on her properties.
I'm glad the chief of police is more concerned with smoking in
public
places than in keeping the north side of town from turning
into a
ghetto.
I'm glad the chief of police was unable to rearrange the schedules
of a
few
officers to keep from paying overtime to the officers working
the VP's
security.
I'm glad it took the LPD 25 minutes to respond to a commercial
burglar
alarm less than 6 blocks from a station.

Nathan Tobkin
Fidelity & Guaranty Life
Underwriting Support
New Business
(402)479-0115 Ext. 16230

FEBRUARY 1, 2005

RECEIVED
FEB 01 2005
CITY COUNCIL
OFFICE

RECEIVED
FEB 01 2005
CITY COUNCIL
OFFICE

CITY COUNCIL MEMBERS: JON CAMP, JONATHAN COOK, GLENN FRIENDT, ANNETTE MCROY, PATTE NEWMAN, KEN SVOBODA, TERRY WARNER ✓

REGARDING: CREATING PAVING UNIT NO. 139 WEST BENTON STREET FROM NORTH 1ST STREET WEST APPROXIMATELY 600 FEET AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTY.

I attended the regular city council meeting held Monday, January 31, 2005 and stated that I object to the paving of West Benton. I have also information to back up reasons why this is not necessary at this time.

1. The neighbors to my west (Mr. Metzger) continually states that the street is unsafe but shows no evidence of even one accident occurring on the street during his 12 years of living there. I have lived at this address on west Benton since June of 1991 and have never seen an accident or heard of any accident that took place on West Benton.

2. The road is not heavily traveled because of the opening of Morgan Street because most of those families must choose to use the paved streets provided in that neighborhood rather than the graveled West Benton.

3. If the dust is a problem, which I doubt since I am next door and do not see him washing his house down because of dust, he could have built his house back from the road since his lot is approximately 300 feet deep. Planting evergreen trees on his property along West Benton would help with such an annoyance.

4. Years ago, Coleen Seng actually drove out and looked at the road as did other members of the former council. When I called her to discuss this, no evidence to support paving West Benton was found.

I realize the city wants all streets paved, but I submit that there are more urgent priorities than the West Benton situation. This would serve the needs of 2 families for sure but at what cost to the rest of property owners along this street. It would be a heavy financial burden on my family \$24,000 and I would appreciate your consideration in voting no in this matter.

Sincerely,

Donna Tucker
3901 N. 1st Street



**DO NOT REPLY to this-
InterLinc**
<none@lincoln.ne.gov
>

To: General Council <council@lincoln.ne.gov>
cc:
Subject: InterLinc: Council Feedback

02/01/2005 10:08 PM

InterLinc: City Council Feedback for
General Council

Name: Mattson Hahne
Address: 5001 Elk Ridge Road
City: Lincoln, NE 68516

Phone:
Fax:
Email:

Comment or Question:

Dear City Council;

My name is Mattson Hahne, I am a Boy Scout from Troop 672 sponsored by The Church of Jesus Christ of Latter day saints. I was at your meeting on Monday when Dr. Wachal, the Veterinarian came and talked about his impact fee of 1200.00 on his business expansion.

We discussed the issue as a troop after the meeting and thought that it was not a very fair fee to have to pay. With Dr. Wachal using that laundromat space it would not cause an increase of traffic, and it would decrease water and sewage usage. I was glad to read in the paper today that you allowed to not pay the impact fee. Thank you for allowing us to attend the City Council Meeting, it was very informative. I liked seeing my Scoutmaster on the television monitors.

Sincerely,
Mattson Hahne
Troop 672

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, FEBRUARY 7, 2005**

I. MAYOR

1. NEWS RELEASE - RE: Tax Preparation Assistance Available - (See Release)
2. NEWS RELEASE - RE: Mayor To Award Grants To 15 Neighborhood And Community Groups - (See Release)
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 5-11, 2005- Schedule subject to change - (See Advisory)
4. City of Lincoln Snow/Traffic Condition Report - February 7, 2005 - 6:30 a.m.-(See Release)

II. CITY CLERK

1. Letter from Brian D. Carstens, Brian D. Carstens & Associates - RE: Items 27 & 28 (05-18, 05R-32) - Hartland Homes Southwest 1st Addition-Special Permit #04054-Southwest 27th & West "A" Streets - (See Letter)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS

HEALTH

1. NEWS RELEASE - RE: Flu Activity Continuing to Raise In Lancaster County-(See Release)

PLANNING

1. Memo from Marvin Krout - RE: Wal-Mart proposal at 84th & Adams Street - (See Memo)

C. MISCELLANEOUS

1. E-Mail from Kody Farr, Boy Scout Troop 672 - RE: Scout Troop attending the 1/31/05 meeting-a Veterinarian that was having to pay extra money when he moved his practice into a building that used to be a laundry mat-he is pleased Council agreed with the doctor & overturned the previous decision- (See E-Mail)
2. E-Mail from Michael Kujath - RE: If the Lincoln smoking ban could be enforced in a 3-plex - (See E-Mail)



CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 3, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Rick G. Carter, Human Services Federation, 441-4399

TAX PREPARATION ASSISTANCE AVAILABLE

Lincoln Mayor Coleen J. Seng today encouraged low-income persons to use the free services available through the Volunteer Income Tax Assistance Program (VITA) for preparing their federal and state tax returns. The program is offered by the Lincoln-Lancaster County Family Economic Security Partnership (FESP), a collaboration of public, private and non-profit organizations, including the Internal Revenue Service, the Human Services Federation and various local organizations.

"There are many people who are working, but still finding it difficult to make ends meet," said Mayor Seng. "The goal of the Partnership is to help these individuals and families increase their income and build their assets. One way to achieve that goal is to make sure they are claiming all of the possible credits due to them when they file their taxes. I want to thank the Partnership and the VITA volunteers for offering their important service in our community."

The VITA program has provided free tax assistance to the Lincoln community for more than 30 years. This year, volunteers speaking native Vietnamese, Arabic, Hispanic, Indian, Russian and Bosnian will be available at some locations to provide tax preparation and translation. A schedule is attached.

"Special emphasis will be placed on increasing the Earned Income Tax Credit (EITC) claimed," said Rick G. Carter, Executive Director of the Human Services Federation and Chair of FESP. "The EITC and other federal and state tax credits were created to increase the incomes of these workers. We want to start these families on a path toward building financial assets for the future."

Free electronic filing, available at most VITA locations, provides the most speed, accuracy and security in filing tax returns. Those using electronic filing and direct deposit can receive refunds within 10 to 14 days.

Volunteers are trained to prepare basic Form 1040 tax returns, including schedule A for itemized deductions, claims for the Earned Income Tax Credit, other tax credits and the comparable state tax forms. Volunteers do not prepare business or complex tax returns.

- more -

VITA**February 3, 2005****Page Two**

To use the service, individuals must provide a photo identification; a Social Security Card (or Individual Taxpayer Identification Number) for themselves, spouses and dependents listed on the return; all Wage and Earning Statements (W-2); any interest and dividend statements (Form 1099); a copy of last year's return, if available; and any other information on income and expenses for 2004.

Other FESP partners are U.S. Bank, the University of Nebraska - Lincoln, the Lincoln City Libraries, the Lincoln Action Program, the Salvation Army, Fresh Start, Matt Talbot Kitchen and Outreach, the Hispanic Community Center, the Asian Community and Cultural Center, the Lincoln Literacy Council, the Community Mental Health Center, Goodwill Industries, the Friendship Home, the YWCA, Volunteer Partners and the Lincoln Public Schools.

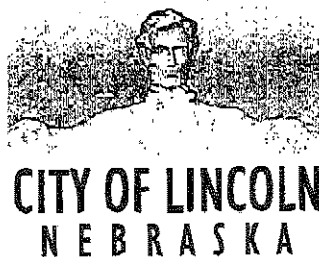
More information is available by calling the Human Services Federation at 441-4399, the Lincoln City Libraries at 441-8530, or by visiting www.hsfed.org.

FREE ELECTRONIC FILING INDIVIDUAL TAX RETURNS

LINCOLN COALITION VITA PROGRAM

<u>LOCATION TIME</u>	<u>ADDRESS</u>	<u>1-24 THRU 4-15</u>	<u>UNLESS NOTED</u>
MONDAY			
Lincoln Action Program	1:00pm-4:00pm	210 O Street	Electronic Filing
Eiseley Library	5:30pm-8:30pm	1530 Superior St	Electronic Filing
Hispanic Center	1:00pm-4:00pm	2300 O Street	No Electronic Filing
TUESDAY			
US Bank	10:00am-1:00pm	56th and O Street	Electronic Filing
F Street Recreation Center	11:30am-2:30pm	1225 F Street	Opens 2-1-2005 No efile
Bennett Martin Library	1:00pm-4:00pm	14th and N Street	E-file Through 2-22-05
Salvation Army	1:00pm-4:00pm	2625 Potter	E-file Through 2-22-05
Bennett Martin Library	5:30pm-8:30pm	14th and N Street	Electronic Filing
Hawthorne Elementary	5:00pm-8:00pm	300 South 48th Street	E-file Through 2-22-05
WEDNESDAY			
US Bank	10:00am-1:00pm	56th and O Street	Electronic Filing
Bennett Martin Library	1:00pm-4:00pm	14th and N Street	Electronic Filing
Anderson Library	5:30pm-8:30pm	3635 Touzalin Ave	Electronic Filing
US Bank	5:30pm-8:30pm	56th and O Street	Electronic Filing
THURSDAY			
US Bank	1:00pm-4:00pm	56th and O Street	Electronic Filing
Eiseley Library	1:00pm-4:00pm	1530 Superior	Electronic Filing
Salvation Army	1:00pm-4:00pm	2625 Potter	Electronic Filing
Lincoln Action Program	5:30pm-8:30pm	210 O Street	Electronic Filing
Hawthorne Elementary	5:00pm-8:00pm	300 South 48th Street	E-file Through 2-24-05
FRIDAY			
Lincoln Action Program	9:30pm-12:30pm	210 O Street	Electronic Filing
SATURDAY			
Elliott School	9:00am-12:00pm	225 South 25th St.	Electronic Filing
US Bank	9:00am-11:30am	56th and O Street	Electronic Filing
Hispanic Center	10:00-1:00	2300 O Street	No Electronic Filing
SUNDAY			
Bennett Martin Library	1:30pm-4:30pm	14th and N Street	E-File -Through 2-27-05

USE EAST
DOOR



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 3, 2005

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
J.J. Yost, Parks and Recreation, 441-8255

MAYOR TO AWARD GRANTS TO 15 NEIGHBORHOOD AND COMMUNITY GROUPS

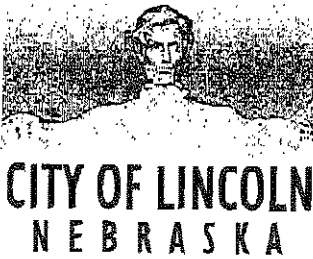
Lincoln Mayor Coleen J. Seng and the City Parks and Recreation Department will award grants from the Community Action Program (formerly called the Self-Help Program) to 15 neighborhood associations and community organizations February 10. The presentations will be made during the Mayor's Neighborhood Roundtable meeting, which begins at 4:30 p.m. in Room 113 at the County City Building.

"This grants program continues to play a major role in improving our parks system," said Mayor Seng. "I want to thank the volunteers who are willing to invest their time in these neighborhood projects." Parks and Recreation Director Lynn Johnson said more than \$55,000 in project requests were submitted for the \$45,000 available through the Community Action Program.

The Community Action Program is funded through City general tax revenues and is approved by the City Council each year as part of the City budget process. The program typically provides funding for equipment and materials, and volunteers provide labor. Projects must be constructed on publicly owned property or involve programs available to the general public. The criteria for choosing which projects are funded include locations, neighborhood support for the project and consistency with park plans.

The following groups will receive Community Action Program funding for 2005:

- Clinton Neighborhood Association, Woodside Playground and Lintel Park - accessibility improvements, EZ digger, drought-tolerant plants.
- Country Club Neighborhood Association, Country Club Islands - partial funding for irrigation.
- Country View Neighborhood Association, Country View Park - park development.
- East Campus Community Organization, McAdams Park - pathway, drinking fountain.
- Edenton South Homeowners Association, Edenton South Park - eight trees.
- Far South Homeowners Association, Densmore Park - half basketball court.
- Friends of the Dog Parks, Rickmans Run and Oak Creek Run - benches.
- Irvingdale Neighborhood Association, Rudge Memorial Park - park renovation.
- Lincoln Flying Disc Club, Tierra Park - six concrete tee pads.
- Lincoln Horseshoe Club, University Place Park - bench.
- Sheridan Boulevard Tree Project, Sheridan Boulevard Islands - three trees.
- South Salt Creek Community Organization, Cooper Park - two benches, trash receptacle.
- West "A" Neighborhood Association, Coddington Park - two picnic tables, trash receptacle.
- Woods Park Neighborhood Association, Woods Park - tire swing.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 4, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule

Week of February 5 - 11, 2005

Schedule subject to change

Saturday, February 5

- Lincoln East Rotary painting project - 8:30 a.m., University Place Park, 48th and Garland streets, maintenance building on east side of park
- Vietnamese New Year Celebration, greeting - 7 p.m., Malone Community Center, 2032 "U" Street

Monday, February 7

- Mayor's Award of Excellence - 1:30 p.m., City Council Chambers, 555 South 10th Street

Tuesday, February 8

- City-County Common Meeting - 8:30 a.m., Room 113, County-City Building, 555 South 10th Street
- AFL-CIO Annual Legislative Conference, welcome - 1 p.m., Holiday Inn, 141 North Ninth Street
- Mayor's Multicultural Advisory Committee Meeting - 4:30 p.m., Mayor's Conference Room, County-City Building, 555 South 10th Street
- An Evening with Ted Kooser, remarks, present Key to the City - 7:30 p.m., Lied Center for the Performing Arts, 12th and "R" streets

Wednesday, February 9

- Faced the Chamber luncheon featuring Governor Dave Heineman - noon, Country Club of Lincoln, 3200 South 24th Street

Thursday, February 10

- News Conference, topic to be announced - 9 a.m., City Council Chambers, 555 South 10th Street
- Mayor's Neighborhood Roundtable - 4:30 p.m., Room 113, County-City Building, 555 South 10th Street

CITY OF LINCOLN

SNOW/TRAFFIC CONDITION REPORT

A COMPLETE VOICE REPORT IS AVAILABLE AT 441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.

For more information:

Public Works Snow Center -- 441-7644

Citizen Information Center -- 441-7547

Date: Monday, February 7, 2005

Time: 6:30 a.m.

Following a Super Sunday snowfall that amounted to about three inches of accumulation, 20 city material spreading vehicles were out at 4 a.m. this morning distributing over 800 pounds of salt on city streets and intersections. Snow emergency routes and the main arterials were targeted, with the focus soon shifting to the bus routes and areas where drifting has occurred. Motorists venturing out this morning will encounter winter driving conditions on Lincoln's snow-packed, sloppy streets. Street maintenance crews report some slick spots, specifically bridges and intersections, and urge drivers to proceed with caution during their early morning commute.

Lincoln Police Department reports no major problems relating to accidents this morning. LPD urges motorists to drive defensively and allow for some extra time during their morning drive to work, as they will encounter slushy and snow-packed street conditions.

StarTran reports that all buses are currently running on time. As the morning commute commences, delays will be possible.

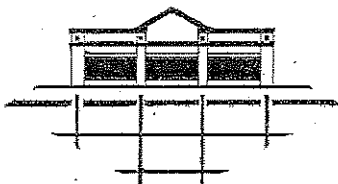
In the event of any significant snow accumulation today, residents are reminded that sidewalks are to be cleared by 9 a.m. following an overnight snowfall.

Please stay informed on traffic conditions and the status of snow operations in Lincoln. Additional information is available on pages 40 and 41 in the blue pages of your Alltel phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

05-18
05R-32

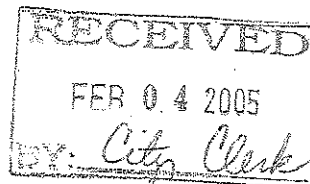
001

Items 27, 28



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

February 3, 2005



Ms. Joan Ross
City Clerk
City of Lincoln
555 South 10th Street
Lincoln, NE 68508

RE: HARTLAND HOMES SOUTHWEST 1ST ADDITION
SPECIAL PERMIT #04054
SOUTHWEST 27TH AND WEST 'A' STREETS

Dear Joan,

On behalf of Hartland Homes, Inc., I am requesting that the Lincoln City Council hold the 'second' and 'third' readings together on February 14th.

With the mild winter so far, we have completed grading on the first phase, and have Executive Order Plans ready to be approved by Public Works & Utilities, as soon as the Lincoln City Council approves this C.U.P/ Special Permit.

The utility contractor is standing by and ready to install sewer and water lines as soon as the plans are released from the City.

Please feel free to contact me if you have any further questions.

Sincerely,

Brian D. Carstens

cc: Duane Hartman- Hartland Homes
Lyle Loth- ESP
Peter Katt



NEWS RELEASE

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

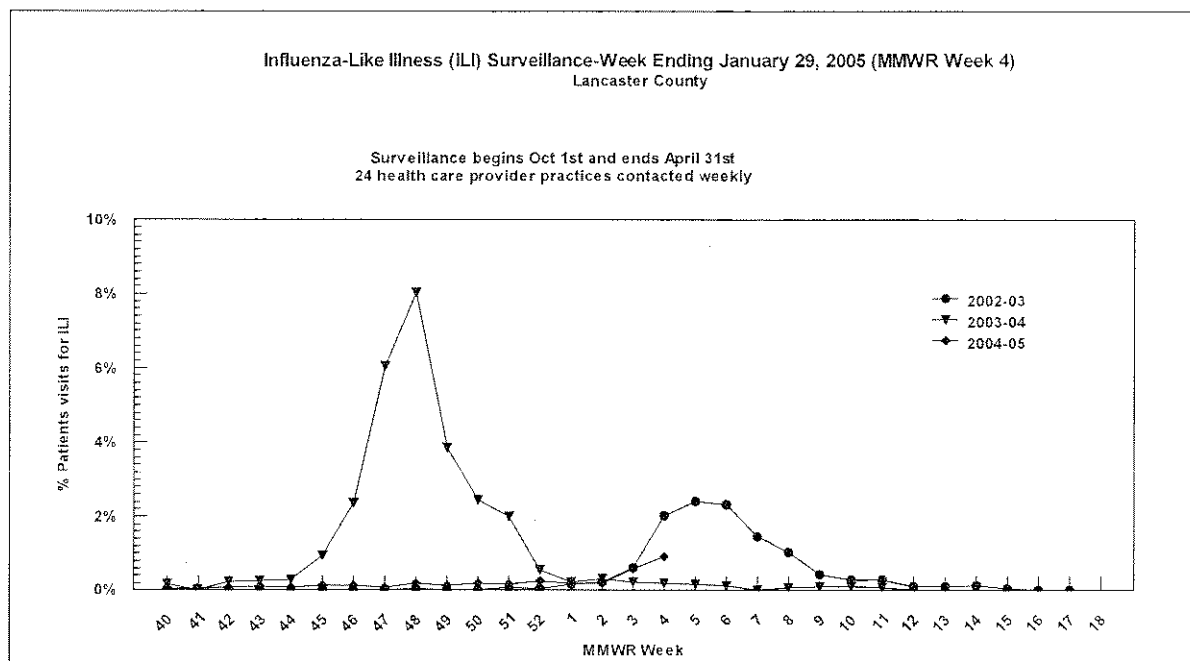
Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: February 4, 2005
FOR MORE INFORMATION: Bruce Dart, MS, 402-441-8001
Health Director

Tim Timmons, R.N., 402-441-8056
Communicable Disease Program Supervisor

Flu Activity Continuing to Raise In Lancaster County

The Lincoln-Lancaster County Health Department through its weekly influenza surveillance program reports that flu activity is continuing to increase in Lincoln and Lancaster County. Eight additional lab confirmed cases of influenza were reported to the Health Department last week and the number of visits to health-care providers for influenza-like illness is also increasing.



A limited amount of Flu shots is still available through the Lincoln-Lancaster County Health Department, at the Main office, 3140 N Street, from 8:00 a.m to 4:00 p.m, Monday through Friday.

Health Director, Bruce Dart, said “It is not too late for those who have not obtained a flu immunization, to still get a shot.” Mr. Dart stated that “most people and particularly people at high risk who have not done so already, should be vaccinated.”

People of any age can get influenza. Most people are ill with influenza for several days, but some get much sicker and may need to be hospitalized. Influenza causes thousands of deaths each year, mostly among the elderly. Influenza symptoms can include, fever, cough, chills, sore throat, headache, muscle aches. If you are at high risk and have a flu-like illness or are concerned about your health, you should contact your healthcare provider. It is important to get adequate bedrest and drink plenty of fluids.

The Lincoln-Lancaster County Health Department offers the following suggestions for those who may develop flu-like-illness: Avoid close contact with others, especially those at high risk for influenza complications. As always, practice the good health behaviors of covering your mouth when you cough and your nose when you sneeze. Practicing good hand washing is also an important and essential way to reduce the spread of illness.

MEMORANDUM

TO: Terry Werner

FROM: Marvin Krout, Planning *M Krout*

SUBJECT: Wal-Mart proposal at 84th & Adams Street

DATE: February 7, 2005

cc : City Council Members
Mayor Coleen Seng
Becky Horner, Planning

In response to your request for information on the Wal-Mart proposal at the southeast corner of 84th & Adams Streets, attached please find a copy of the change of zone application from AG Agricultural to B-2 Planned Neighborhood Business District, and the associated use permit application, including the submittal letter and the site plan. I have also attached the GIS maps showing the area of application which have been prepared by the Planning Department staff.

These applications were submitted on January 20, 2005, and are "tentatively" scheduled for public hearing before the Planning Commission on Wednesday, March 2, 2005, 1:00 p.m. The Planning Commission action on the change of zone is a recommendation to the City Council, and the Planning Commission action on the use permit will be final, unless appealed to the City Council, pursuant to the recent amendments to zoning ordinance on use permits.

The applicants had a neighborhood meeting on Sunday, February 6th, at Faith Lutheran Church, 87th & Adams Street.

If you have any questions or need additional information, please feel free to contact me at 441-6366, or Becky Horner, the project planner, 441-6373.

I:\pc\permits\up\UP.05001 memo to Werner *[Signature]*

CITY OF LINCOLN ZONING APPLICATION

(A separate application is required for each request.)

Honorable City Council

Date 1-20-2005

City of Lincoln, Nebraska

Application No. UP05001 ; 6205005

Under the provisions of Title 27 of the Lincoln Municipal Code, the undersigned hereby applies for a:

☒ Change of zone from AG to B-2☐ Special Permit, 27.63. _____☐ Change of zone, (text) 27. _____

(Please list Special Permit Type)

*NOTE: City policy requests that text amendments be presented to the Mayor's Neighborhood Roundtable.

Presentation Date _____

☐ Pre-Existing Special Permit # _____☒ Use Permit _____ Pre-Existing Use Permit # _____☐ Miscellaneous _____ ☐ CPC☐ Administrative Amendment to SP# _____ ; UP# _____; Other # JAN 20 2005☐ Waiver to _____ SP# _____ ; UP# _____

; PP# _____

(List)

Please attach list of all waivers being requested and identify the specific regulations requested to be waived (i.e. City of Lincoln Design Standards, Land Subdivision Title 26, Title 27 Section # _____ in conjunction with CUP, etc.

Is the purpose statement for this application attached? Yes ☒ No ☐

Note: Purpose Statement must be attached in order for application to be considered complete.

Have the neighbors been informed of your request? Yes ☐ No ☒Property Owner Name Dubois, LLC
Address 2045 S. Folsom St., Lincoln, NE 68522Telephone (402) 476-6599

Email _____

Applicant (Permittee) Name Wal-Mart Stores, Inc.
Address 702 S.W. 8th Street, Bentonville, AR 72712Telephone (501) 273-4000

Email _____

Contact Name Darrick Rademacher, Olsson Associates
Address 1111 Lincoln Mall, Lincoln, NE 68508Telephone (402) 474-6311Email drademacher@
oaconsulting.comProject Legal Description: Lot(s) 103 I.T. AND 106 I.T. Block(s) N/A
N/A Addition, NW 1/4 1/4 Section, 14 T 10 N, R 7 E☒ See attached Legal Description (hard copy and digital if available) for Re-Zoning.Project Address/Location SW corner of N. 84th Street & Adams StreetApplicant's (Permittee's) Signature (S.E.)Property Owner's Signature Steve McClary

* NOTE: If applicant is not owner of the premises, the owner's signature (or written permission of the owner authorizing the applicant to sign on behalf of the owner) must be affixed to this application. The applicant and owner's signatures (or owner's written permission) certifies that permission is granted by the owner to all authorized city/county personnel to enter the premises for the purpose of review of this application.

**NOTE: Change of Zone applications do not require the property owner's signature.

***Note: This application will be returned as insufficient if all requested information is not provided.

Planning Department Use Only

Permit Name WAL-MART Fee Paid \$ 1480
Location 84 & ADAMS C: 79133 r: 130382
Planner BECKY Date 1/20/05

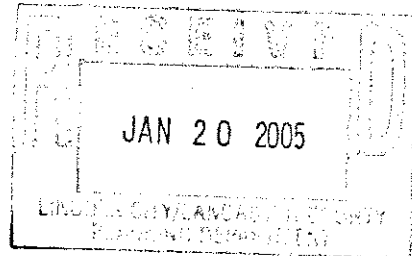


OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

20 January 2005

Mr. Marvin Krout
Planning Department
555 South 10th Street, Suite 213
Lincoln NE 68508

Re: Prairie Village Commercial Center Use Permit
Wal-Mart Store #3823-00, Lincoln (NE), Nebraska
OA Project No. 2003-0855



Dear Marvin:

Enclosed find the following documents for the above-mentioned project:

1. 25 copies of the Site Plan.
2. 10 copies of the Drainage and Grading Plan.
3. 5 copies of the Street Profiles.
4. 5 copies of the Landscape Plan.
5. 3 copies of the Traffic Impact Study.
6. 3 copies of the Rezoning legal description and exhibit.
7. 1 copy of the Use Permit and Rezoning Application.
8. \$1480 Submittal Fee.
9. 1 copy of the Ownership Certificate.

We are submitting a Use Permit and Rezoning application on behalf of the Owner, Dubois, LLC, 2045 S. Folsom Street, Lincoln, NE 68522, and the Developer, Wal-Mart Stores, Inc., 702 S.W. 8th Street, Bentonville, AR 72712. The Use Permit consists of Lot 103 I.T. and Lot 106 I.T. located in the NW 1/4 of Section 14, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska.

This area is designated as commercial in the comprehensive plan, therefore we requesting that the subject property be rezoned, in conjunction with the Use Permit, from Agriculture (AG) to Planned Neighborhood Business District (B-2). We are also requesting the following waivers:

1. A waiver to the requirement to submit a Preliminary Plat.
2. A waiver to the requirement for street trees along the east side of N 84th Street due to the potential conflict between the existing power lines and the street trees.

If you require further information or have any questions, please call me at (402) 474-6311.

Sincerely,

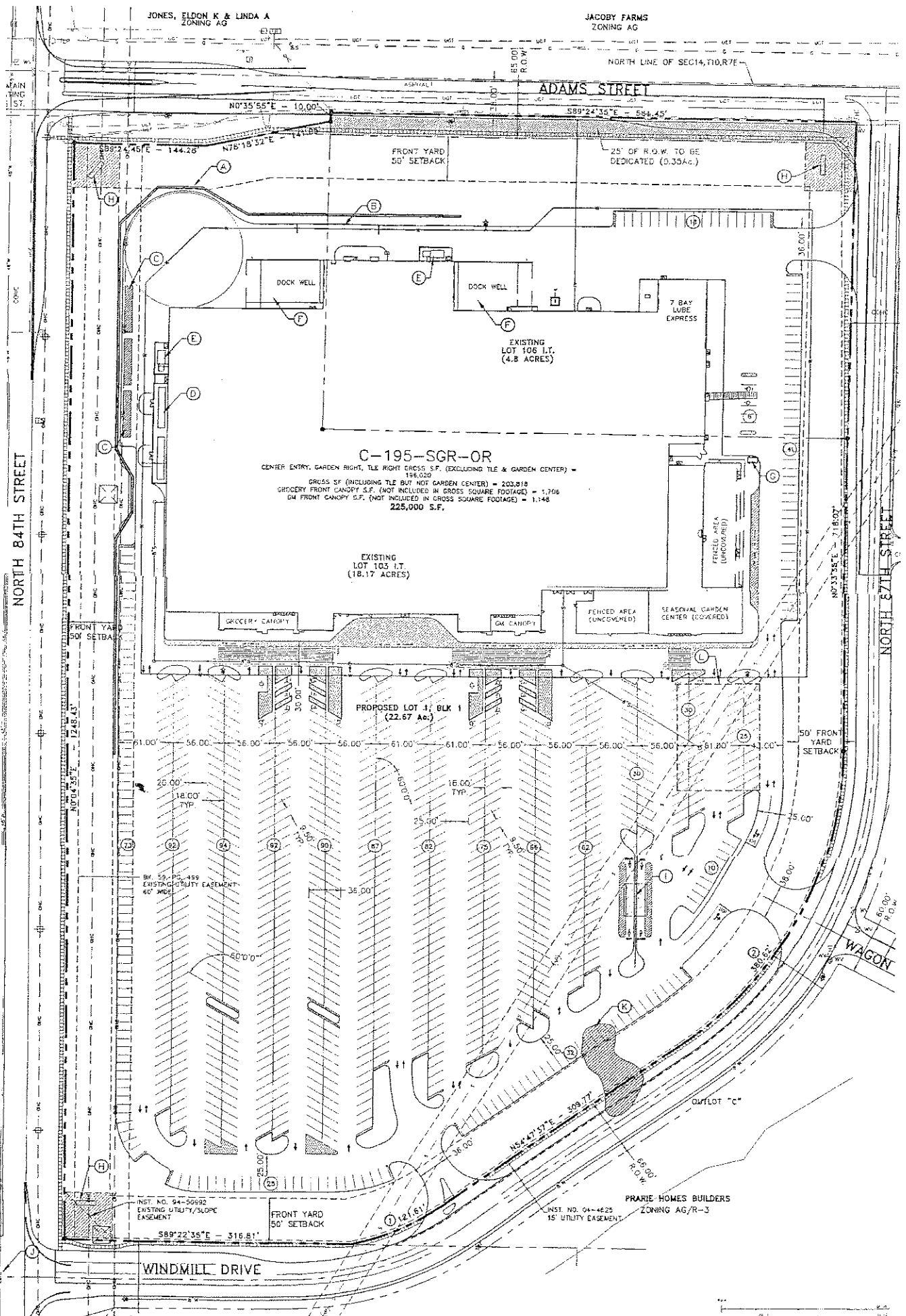
Darrick J. Rademacher, P.E.

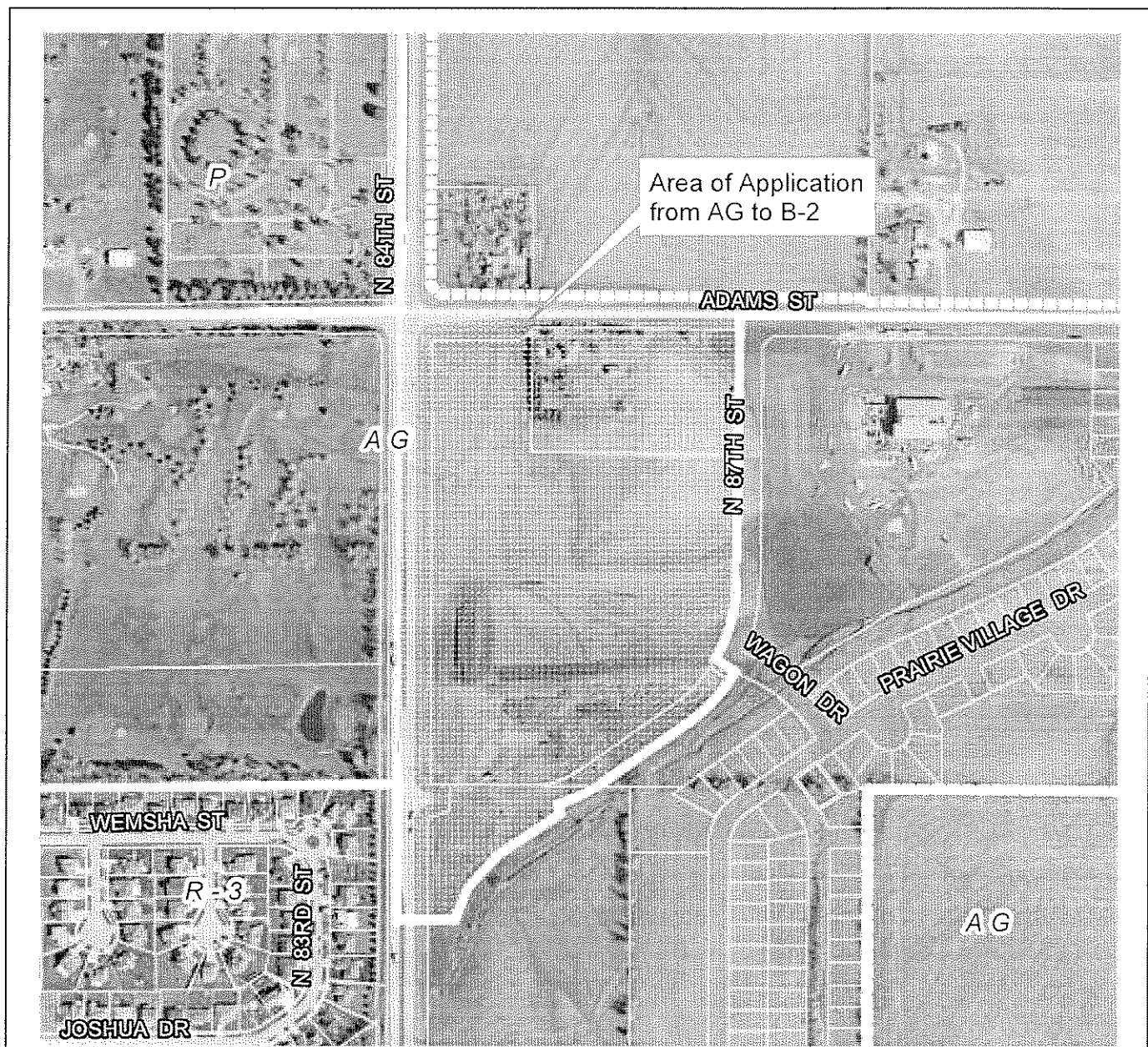
Darrick Rademacher

cc: KK Yeow, Wal-Mart Stores, Inc., 2001 Southeast 10th Street, Bentonville, AR 72716
Steve Champoux, Dubois, LLC, 2045 S. Folsom Street, Lincoln, NE 68522

F:\PROJECTS\20030855\DOC\KROUT.105.DOC

1111 Lincoln Mall • P.O. Box 84608 • Lincoln, Nebraska 68501-4608 • (402) 474-6311 • FAX (402) 474-5160
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2002 aerial

Change of Zone #05005 N 84th & Adams St.

Zoning:

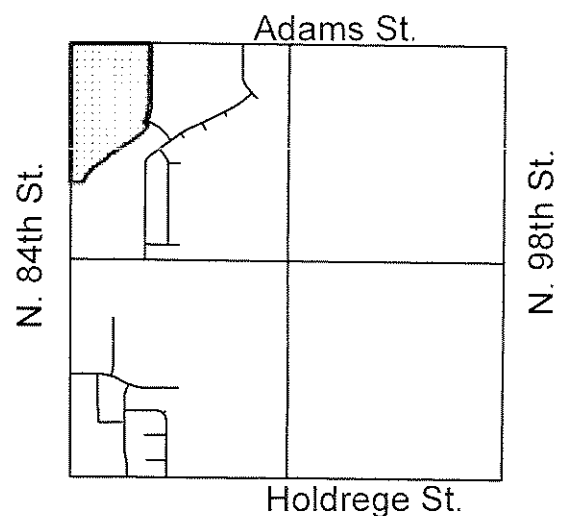
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 14 T10N R7E

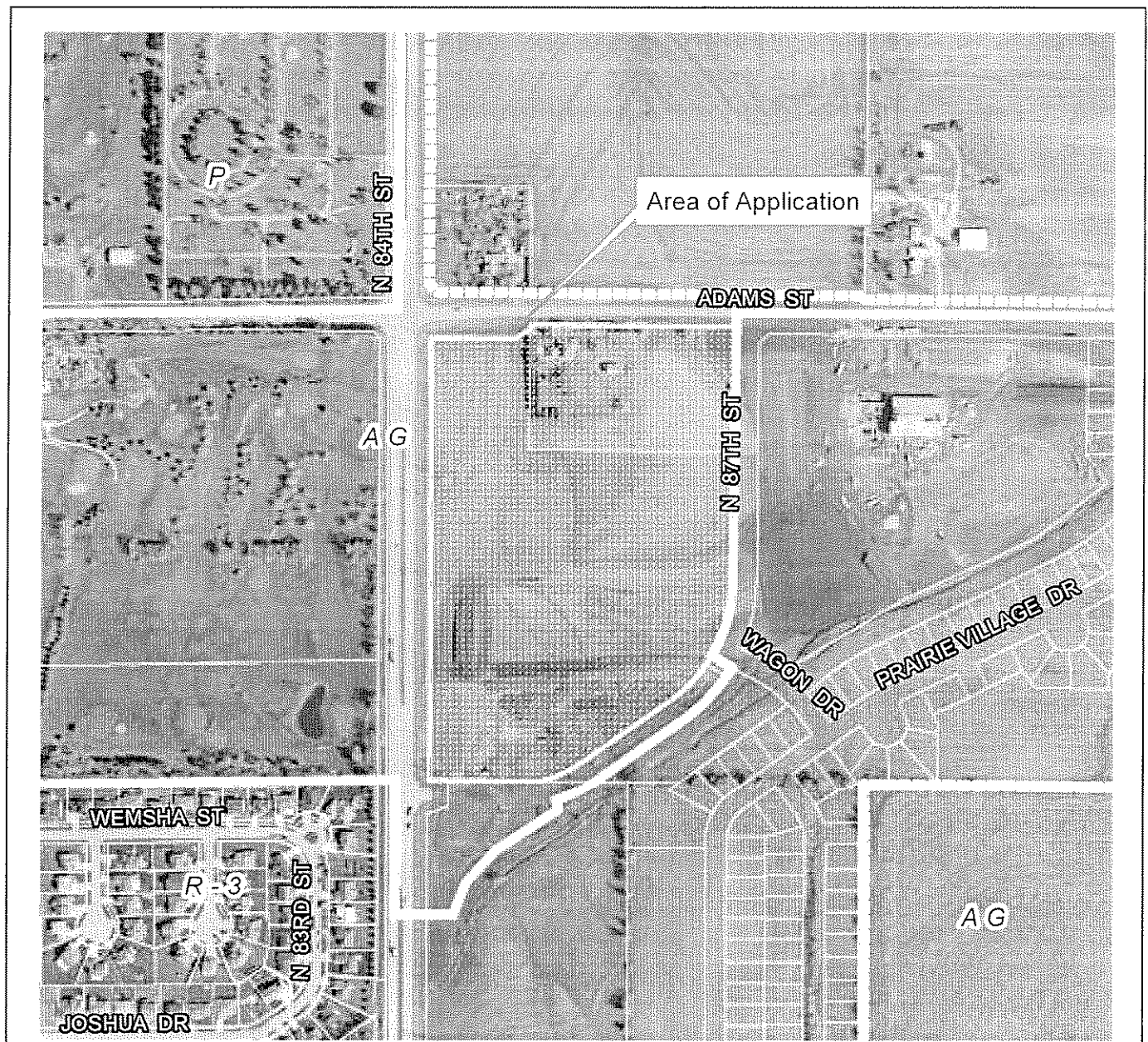


Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.



2002 aerial

Use Permit #05001 N 84th & Adams St.

Zoning:

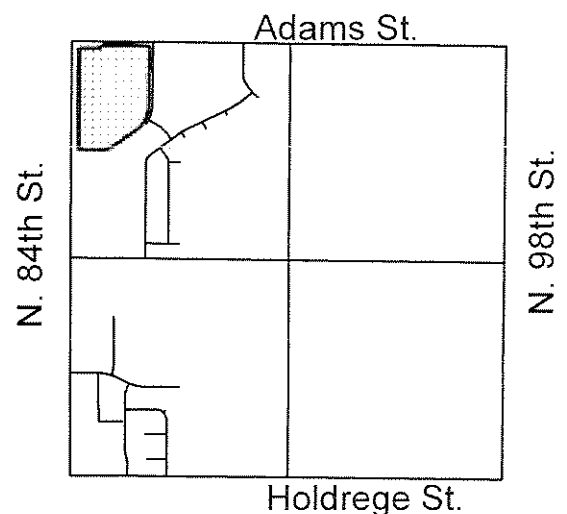
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H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 14 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.



Joan V Ray

02/07/2005 09:00 AM

To: KrisFa4@aol.com

cc: council@ci.lincoln.ne.us

Subject: Re: Scout troop attending the 1/31/05 meeting

Dear Kody: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue. We appreciate our young people taking an interest in community concerns. It gives us hope!

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

KrisFa4@aol.com



KrisFa4@aol.com

02/05/2005 09:16 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Scout troop attending the 1/31/05 meeting

Dear City Council Members:

Last Monday, January 31, 2005, I attended the City Council meeting with my Boy Scout Troop. One of the items brought before the Council was a Veterinarian that was having to pay extra money when he moved his practice into a building that used to be a laundry mat. The doctor felt that he shouldn't have to pay extra, because the traffic flow and water usage is less than it used to be. I am pleased that the Council agreed with the doctor and overturned the previous decision.

Sincerely,

Kody Farr

Boy Scout Troop 672



DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov>
>

To: General Council <council@lincoln.ne.gov>
cc:
Subject: InterLinc: Council Feedback

02/04/2005 10:39 PM

InterLinc: City Council Feedback for
General Council

Name: Michael Kujath
Address: 5066 Starr St #3
City: Lincoln, NE 68504

Phone: 402-430-9574
Fax:
Email: mkujath2000@hotmail.com

Comment or Question:

I would like to know if the Lincoln smoking ban could be enforced in a 3-plex. I am currently renting a 3-plex apartment that does not have the utilities separated. It is an old house, broken down into 3 apartments. Because of this, the central heater and air conditioner are all linked to the same vents. When the tenants in the basement or main level apartments smoke, the smoke travels into my apartment which is above both of them. Before I signed the lease I asked the property manager if smoke would be a problem and she assured me that it would not. The rental company, ERA Realty, has had a private contractor come to estimate the cost of separating my apartment from the rest of the house, but so far has not acted on anything. I moved in in September 2004.

Thank you for your consideration.

**DIRECTORS' MEETING
MINUTES
MONDAY, FEBRUARY 7, 2005
CONFERENCE ROOM 113**

Council Members Present: Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy (arrived late).

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Corrie Kielty, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Deena, Winter, Lincoln Journal Star Representative.

I. MAYOR

Mayor Coleen Seng stated Wayne Harvey a former Purchasing Agent who worked for the City for 36 years passed away, he has been retired for a long time.

There's an e-mail on the Directors' Agenda regarding things the City has done and accused her of owning property some where that she has never owned property. So, she called the guy and he was kind of shocked, he asked how do you know I sent it and she said your name and phone number is on it and read it to him. He said he just can't believe it because he never sent it, he denied it for quite a while and then he said he wants to know if she still owned property on Leighton. She told him that she has never owned property on Leighton and he apologized to her. So, she thought they all would like to know and she doesn't know if there is any other follow up they need on it. [This e-mail listed under "V. Miscellaneous- #11".]

Next week the Storm Sewer Bond Legislation will get introduced, so Mark (Bowen) will talk more about it at the "Noon" Meeting today.

Mayor Seng called on Directors. Roger Figard stated he would like to talk about the Antelope Valley Legislation. He has a memo for Council and the purpose of the memo is to answer questions asked by City Council members during their meeting on January 31st and he also wants to emphasize the purpose of the agreements. Mr. Figard handed out to Council the memo regarding agreements held over for vote on February 7th and went over it with Council. Mr. Figard stated also what is unique about these bridges is that they are concrete slab bridges, which means concrete and steel is all part of the structural component all the way out to the edge of the sidewalk and the edge of the bridge. So, if they decided to cut off the sidewalk or cut of the trail they would have to go back and redesign the whole bridge. They just can't take off the outside piece because it is all part of the structure they would have to change the whole design, so he would really encourage Council to say that flexibility should remain in there and they need to maintain that pedestrian component. They continue to work on bridges and they need to be prepared if their funding comes faster or if their funding comes slower they could choose to slow down or delay those things which all will be

discussed as part of the up coming CIP. Mr. Figard stated the other thing more important than anything else is to ask Council to look at the agreements which are funding permission documents and nothing more than that. They must have an agreement with the State of Nebraska making these projects eligible to receive federal funding when they move forward. If they don't have the agreements in place they can not use the federal funding, so he would really encourage Council to move those forward this afternoon. Mr. Werner commented he thinks the intent that the Council was getting at was looking at the larger picture and saying you know some place they have to pull back a little bit because they don't have the money and the bond issue didn't pass and so on. So, he thinks that is where this is all coming from last week and they are okay, they have the trails on both sides so maybe they don't need that lets cut it off and save some money. Mr. Werner commented to Mr. Figard your answer was perfectly good a one and it probably would cost more to redesign than to do it, but he's just talking about in the bigger picture of Antelope Valley at some point he thinks there has to be a scaling back and maybe not he doesn't know, but he thinks that's where the Council is coming from. Mr. Figard replied public discussion would do that, he thinks Public Works does try to look at those and he thinks part of their recommendation is that sometimes rather than making the car smaller maybe buy fewer cars overtime, designing something that doesn't have capacity frustrates people. Look at some of the sidewalk problems and frustrations they have in the Haymarket that don't have the width so maybe it is better to do the sidewalk and the trails a little wider now. But if funding and priorities are the issue maybe it has to be dealt with more within the prioritization and the time it takes to get it done. He sometimes worries when they under design it and get it built that they have done everyone a disservice, they saved some money but they built a facility that frustrates people and they don't use it so he would rather delay the construction of some of those facilities. Mr. Werner commented to Mr. Figard that they need engineers like him from Public Works that gives them some of those options. Mr. Figard replied he thinks that is part of what they are saying in the channel that they are looking at options. They have already looked at Antelope Valley to do some delaying to stretch some things out to try to be sensitive to the fact that the bond issue didn't pass and they will continue to do that and certainly if the funding is there they will be making recommendations to the Mayor to make best use of the resources that they have. Mr. Cook commented when the agreements come forward he knows that they do not normally contain any details as to the design. He thinks that would be of interest especially in cases where they have a design that they have prepared and they are basing estimates on that design. Mr. Cook asked if it is possible for Council to get something other than an explanation that yes it has the 10 foot trails and so on of what the actual bridge will look like? Mr. Figard commented he thinks they can do more than that and the other side of that is until they have the funding document in place they can't even use federal funds to do some of that design and pictures and drawings. So, they are trying not to do anymore designs expending local dollars until those agreements are in place so that they're maximizing use of the federal dollars. Mr. Cook replied he's not asking him to go do more design work just so they can provide them with pictures, he's just saying if they have some information they would love to see it. Mr. Figard stated the pictures, yes, the actual design details sometimes don't come down but they can certainly try to give them more of those details. [See Attachment]

Mayor Seng stated she has this morning for Council a veto message and handed it out to them. Mayor Seng stated the discussion during last week's hearing of this appeal about the medical facility potentially using less water and wastewater than the previous use was not relevant to the request. The request was to waive the arterial street impact fee, not the water or wastewater impact fee. At this time Mayor Seng read her Veto Message regarding "Bill #05R-16, Appeal of Dr. Mark Wachal to waive the Arterial Street Impact Fee for the Wachal Pet Health Center at 201 Capitol Beach Blvd., Suite 10".

Ms. McRoy asked if he would have gone into water and wastewater appeal and based his appeal on that would that have been more appropriate. Mayor Seng said if that is what he wanted to appeal. Ms. McRoy commented so he basically made the wrong appeal. Mayor Seng stated he appealed on arterial street and he didn't bring in any information about that. Mr. Svoboda indicated there was no impact fee on the water and wastewater part if he recalls, it was only on the arterial. Mayor Seng stated he didn't bring the right kind of information. Mr. Camp stated he thought he heard him talk about the fact that it is just an office addition for him and that it would not generate traffic vs a laundry, so it seems like he did bring in information.

Michaela Hansen (Public Works) stated the water and wastewater was unaffected there was no change in the water meter that's how you end up with an impact of trying to change the impact fee. If he wanted to challenge according to the ordinance he wanted to challenge the number of trips, he had the right to do a traffic study and bring that forward and she did share that with him. [See Attachment]

- *1. NEWS ADVISORY - RE: Mayor's News Conference at 10:00 a.m. - January 27th - RE: Plans for the 5th Annual Abraham Lincoln Birthday Celebration; Creation of Lincoln/Lancaster County Citizen Corps Council; Award of \$2 million in Federal grant to local agencies serving the homeless. — NO COMMENTS
- *2. NEWS RELEASE - RE: Workshop To Focus On Intelligent Transportation Systems Projects. — NO COMMENTS
- 3. NEWS RELEASE - RE: Open House Planned On Improvements To Pine Lake Road and South 56th Street. — NO COMMENTS
- 4. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m., Thursday, February 3rd at the Eiseley Branch Library, 1530 Superior Street. — NO COMMENTS
- 5. Washington Report - January 28, 2005. — NO COMMENTS

Mr. Werner noted they have an addendum as well as Directors' correspondence from January 31st.

AD D E N D U M-(For February 7th)

I. MAYOR

1. NEWS RELEASE - RE: Tax Preparation Assistance Available. — NO COMMENTS
2. NEWS RELEASE - RE: Mayor To Award Grants To 15 Neighborhood And Community Groups. — NO COMMENTS
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 5-11, 2005-Schedule subject to change. — NO COMMENTS
4. City of Lincoln Snow/Traffic Condition Report - February 7, 2005 - 6:30 a.m.— NO COMMENTS

II. CITY CLERK

1. Letter from Brian D. Carstens, Brian D. Carstens & Associates - RE: Items 27 & 28 (05-18, 05R-32) - Hartland Homes Southwest 1st Addition-Special Permit #04054-Southwest 27th & West "A" Streets. — City Clerk Joan Ross mentioned these items during her comments under "III. City Clerk". (See that discussion)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS

HEALTH

1. NEWS RELEASE - RE: Flu Activity Continuing to Raise In Lancaster County. — NO COMMENTS

PLANNING

1. Memo from Marvin Krout - RE: Wal-Mart proposal at 84th & Adams Street. — NO COMMENTS

C. MISCELLANEOUS

1. E-Mail from Kody Farr, Boy Scout Troop 672 - RE: Scout Troop attending the 1/31/05 meeting-a Veterinarian that was having to pay extra money when he moved his practice into a building that used to be a laundry mat-he is pleased Council agreed with the doctor & overturned the previous decision. — NO COMMENTS

2. E-Mail from Michael Kujath - RE: If the Lincoln smoking ban could be enforced in a 3-plex. — Mr. Cook asked if someone can respond to this e-mail? Bruce Dart stated he will respond to it.

II. DIRECTORS - NO FURTHER COMMENTS FROM DIRECTORS

BUILDING & SAFETY

- *1. Memo from Mike Merwick - RE: Requests for Special Addresses. — NO COMMENTS

FINANCE/BUDGET

- *1. Response E-Mail from Don Herz, Finance Director to Paul Haith - RE: City purchasing authority. — NO COMMENTS
- *2. Material from Steve Hubka, Budget Officer - RE: January Sales Tax Receipts for November Sales. — NO COMMENTS

FINANCE/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased January 3 thru January 21, 2005. — NO COMMENTS
2. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - December 31, 2004. — NO COMMENTS

HEALTH

1. NEWS RELEASE - RE: Pertussis (Whooping Cough) Cases Reported in Lancaster County. — NO COMMENTS

PARKS & RECREATION

- *1. Memo & Copy of *NEBRASKAland* magazine RE: Saline Wetland Conservation Partnership & 2003-04 Progress Report- (See Memo - Magazine sent to Council in 01-27-05 Packet). — NO COMMENTS
- *2. Memo from Lynn Johnson - RE: E-Mail message from Peter Katt regarding the Antelope Valley project. — NO COMMENTS

PLANNING

- *1. Letter from Tom Cajka to Terry Rothanzl - RE: Vintage Heights 21st Addition Final Plat #04118-S. 98th & Pine Lake Road. — NO COMMENTS
- *2. Material from Duncan Ross - RE: CPA. 04021 Airport West Subarea Plan Proposed NW 40th/38th Roadway Amendment. — NO COMMENTS
- 3. Letter from Tom Cajka to Brian D. Carstens, Brian D. Carstens & Associates - RE: Aspen 18th Addition Final Plat #04133-Generally located at S. 52nd Street & Norris Lane. — NO COMMENTS
- 4. Memo from Marvin Krout - RE: Residential Land Inventory & Single Family Lots As of January 1, 2005. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

- 1. Special Permit No. 1386C (Amendment to the Windhoek 4th Addition Community Unit Plan east of S. 112th Street and north of Van Dorn Street) Resolution No. PC-00900. — NO COMMENTS
- 2. Special Permit No. 05001 (Off-sale alcohol at Gas ‘N Shop - Sun Valley Blvd. & West “O” Street) Resolution No. PC-00901. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: Open House regarding the following roadway projects in the vicinity of South 56th Street and Pine Lake Road:-(See Advisory). — NO COMMENTS

STARTRAN

- 1. Response Letter from Larry Worth to Ron Davis - RE: Your concerns on the recent revision of the #27 route in the area of Whitehead and N. 27th Street. — NO COMMENTS
- 2. Memo from Larry Worth - RE: Summary of StarTran Town Hall Meeting, 1/22/05. — NO COMMENTS

WOMEN'S COMMISSION

1. Director's Report from Bonnie Coffey - January 2005. — NO COMMENTS

III. CITY CLERK

City Clerk Joan Ross stated on the Agenda for today, Items 1 & 2 will be called together. *[Application of Chez Hay Catering, Inc. dba Chez Hay Catering for a Class I with Catering liquor license at 210 N. 14th Street; and Manager application of Lynn Hay for Chez Hay Catering, Inc. dba Chez Hay Catering at 210 N. 14th Street.]*

Item 12 under "Public Hearing-Resolutions" is an appeal of denial from Planning Commission so they have an approval or denial on this item. *[05R-24, Appeal of Risky's Inc. from the Planning Commission denial of Special Permit No. 04065 for authority to sell alcoholic beverages for consumption on the premises for an outside beer garden at Risky's Sports Bar and Grill generally located at 4680 Leighton Avenue.]*

For Items 27 & 28 she sent Council a pdf document where they're asking for 2nd & 3rd Reading on February 14th. So, she will note it on the Agenda the 14th, but this request came in on Friday after this Agenda was finalized. Mr. Werner said okay. *[05-18, Change of Zone 04067-Application of Hartland Homes for a change of zone from AGR Agricultural Residential District and H-4 General Commercial District to R-3 Residential District on property generally located southwest of the intersection of West A Street and S.W. 27th Street; and 05R-32, Special Permit 04054-Application of Hartland Homes to develop Hartland Homes Southwest 1st Addition Community Unit Plan for 382 single family dwelling units, with requested waivers of the required lot area, average lot width, block length, and the preliminary plat process, on property generally located southwest of the intersection of West A Street and S.W. 27th Street.]*

There is one item on "Miscellaneous Referral" the franchise fees paid by Time Warner Cable which is very standard.

Mr. Cook stated he thinks there maybe a number of questions for Planning on Item 8 which is the full page long description and asked if the City Clerk is planning to read the entire description. City Clerk Joan Ross replied she was going to ask the same thing and asked if she could just read highlight sections. Mr. Werner asked Dana Roper if that would be okay? Dana Roper said that would be good. Marvin Krout commented to Mr. Cook are you saying you have received comments. Mr. Cook stated no, he just has a number of questions which he could probably highlight in the legislation. He just wanted them to know ahead of time this will be coming up. *[05-13, Misc. No. 04014-Amending Title 26 of the Lincoln Municipal Code to update and streamline the Land Subdivision Ordinance by amending Sections(See Formal Council Agenda of February 7th for further description of this item.)]*

- *1. Letter from Tim Powers, Contempo/Lincoln Manager - RE: Opposition to Paving District on West Benton Street. — NO COMMENTS

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK - NO FURTHER COMMENTS

- 1. Request to Public Works & Utilities Department - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05). — NO COMMENTS

GLENN FRIENDT - NO COMMENTS

- 1. Request to Marc Wullschleger, Urban Development Director/Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — NO COMMENTS

PATTE NEWMAN

- 1. Request to Steve Hubka, Budget Officer/Police Chief Casady - RE: The replacement of police radios for officers on the street (RFI#28 - 01/31/05). — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#28-01/31/05.** — Ms. Newman stated this Request For Information (#28) can be removed from the Agenda.

JON CAMP - NO COMMENTS

ANNETTE McROY - NO COMMENTS

KEN SVOBODA - NO COMMENTS

TERRY WERNER

Mr. Werner stated he would like to speak with June Pederson after the Directors' Meeting today.

He received a letter that says from these ordinary folks who'd like to grab a beer Fridays. Mayor Seng said she asked Dana (Roper) to take a look at it because there is several of them raised. Mr. Werner stated okay, he will pass the letter around.

V. MISCELLANEOUS

- *1. E-Mail from David Oenbring - RE: Hammons Hotel. — NO COMMENTS
- *2. E-Mail with Attachment from Fred Freytag, President, Witherbee Neighborhood Association - RE: In Support of 48th & “O” St. Redevelopment -(Council received copies of this E-Mail on 1/24/05 during Formal Council Meeting). — NO COMMENTS
- *3. Letter from Ralph R. Marlette - RE: City of Lincoln Projects and Budget Priorities. — NO COMMENTS
- *4. Letter from Jack Smith - RE: Changes to made to Increase Pedestrian Safety at 11th and 10th & “O” Streets. — NO COMMENTS
- *5. Article sent by Keith Hatfield - RE: Higher impact fees make sense. — NO COMMENTS
- *6. Letter from Ron Davis to Larry Worth, StarTran - RE: The latest StarTran bus route changes. — NO COMMENTS
- *7. E-Mail from Mary Harris Rauner - RE: Revenue through January 15th . — NO COMMENTS
- 8. Letter & Material from Bob & Kathy Batterman - RE: Strongly opposed to the development at 70th Street & Highway 2 (Council received copies of this Material on 01/31/05 before Council Meeting). — NO COMMENTS
- 9. E-Mail from Ken Kiewra - RE: Hope you will be supporting your constituents tonight at the Council Meeting (01/31/05), as you know, the Country Meadows neighborhood is strongly opposed to a change of zoning at the Home Depot property that would allow for an all night restaurant (Council received copies of this E-Mail on 01/31/05). — NO COMMENTS
- 10. E-Mail from Mary Ann Genrich - RE: Livingston Property on Highway 2. — NO COMMENTS
- 11. E-Mail from Nathan Tobkin - RE: I’m glad.... [lists several issues] (See E-Mail). — Mayor Seng mentioned this e-mail earlier under “I. Mayor”. (See that discussion)

12. Letter from Donna Tucker - RE: Creating Paving Unit #139 West Benton Street from North 1st Street West approximately 600 feet and assessing the cost against the benefitted property. — NO COMMENTS
13. E-Mail from Mattson Hahne, Troop 672 - RE: The Council Meeting on Jan. 31st- when Dr. Wachal, the Veterinarian came & talked about his impact fee on his business expansion - glad to read that you allowed to not pay the impact fee. — NO COMMENTS

VI. MEETING ADJOURNED - Approximately at 11:31 a.m.

***HELD OVER FROM JANUARY 31, 2005.**

dm020705/tjg